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THE
DIPLOMATIC CORRESPONDENCE

OF THE
AMERICAN REVOLUTION:

BEING
THE LETTERS OF BENJAMIN FRANKLIN, SILAS DEANE, JOHN ADAMS, JOHN JAY,
ARTHUR LEE, WILLIAM LEE, RALPH IZARD, FRANCIS DANA, WILLIAM
CARMICHAEL, HENRY LAURENS, JOHN LAURENS, M. DUMAS, AND
OTHERS, CONCERNING THE FOREIGN RELATIONS OF THE
UNITED STATES DURING THE WHOLE REVOLUTION;

TOGETHER WITH
THE LETTERS IN REPLY FROM THE SECRET COMMITTEE OF CONGRESS, AND
THE SECRETARY OF FOREIGN AFFAIRS.

ALSO,
THE ENTIRE CORRESPONDENCE OF THE FRENCH MINISTERS, GERARD AND
LUZERNE, WITH CONGRESS.

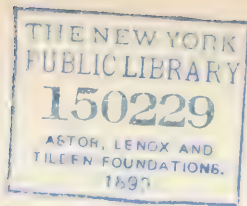
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Resolution of Congress of March 27th, 1818.

Resolution directing the Publication and Distribution of the Journal and Proceedings of the Convention which formed the present Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Journal of the Convention which formed the present Constitution of the United States, now remaining in the office of the Secretary of State, and all Acts and Proceedings of that Convention which are in possession of the Government of the United States, be published under the direction of the President of the United States, together with the Secret Journals of the Acts and Proceedings, and the Foreign Correspondence of the Congress of the United States, from the first meeting thereof down to the date of the ratification of the definitive treaty of peace between Great Britain and the United States, in the year seventeen hundred and eighty-three, except such parts of the said Foreign Correspondence as the President of the United States may deem it improper at this time to publish. And that one thousand copies thereof be printed, of which one copy shall be furnished to each member of the present Congress; and the residue shall remain subject to the future disposition of Congress.

APPROVED, March 27th, 1818.

COMPLETE IN SIX VOLUMES.

STEREOTYPED.

Jackson Hall, Washington.

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1. THE CIVIL STATE: population of each State; government of each State and the articles of the Confederation; disposition of the people, who were at first only desirous of a redress of grievances, but now determined on independence, with the grounds of this opinion; there is no British party in America; revenues; public debts; resources; possibility of supporting their credit in the operations of Government, in commerce, in the protection of national industry; advantages to result to Spain from the independence of American States, in the reduction of the British power, and in the commerce with America; ability of the United States to furnish naval stores. 2. THE MILITARY STATE: number of the troops; the commander-in-chief; means of recruiting by the militia; deficiency of arms, of clothing; means of subsistence; naval forces; the people will not submit; their disposition towards the Kings of France and of Spain; financial embarrassments; sending supplies to America would be the surest means of humiliating Great Britain. Receives the resolutions of Congress drawing on Mr. Laurens and himself for £100,000 sterling each. Letter of Mr. Jay (Aranjues, April 23th, 1780) to the Count de Florida Blanca in consequence of the foregoing resolution, giving an account of the financial operations of Congress, and requesting aid from his Majesty. Conference with the Count on the subject of the preceding letter; the Count states that Spain has been subject to heavy expenses during the preceding year, but that his Majesty intends to give America all assistance in his power, and has directed him to confer with his colleagues in the Ministry on this point; wishes Mr. Jay to contract to furnish Spain with frigates and light vessels; promises to engage in the King's name to pay the bills of exchange if presented; the pretensions of America to the navigation of the Mississippi an obstacle to a treaty. Letter of Mr. Jay (Aranjues, May 12th, 1780) to the Count de Florida Blanca stating his confidential connexion with the French Ambassador, and wishing to know if he may communicate to him the subject of the conference. Reply of the Count de Florida Blanca, (Aranjues, May 14th, 1780.) Mr. Jay's note to the French Ambassador informing him of Sir J. Dalrymple's arrival at Madrid. Note of M. de Montmorin in reply, declaring his entire confidence in the Spanish Ministry. Extract of a letter from Mr. Jay (April 26th, 1780) to Mr. Adams informing him of Sir J. Dalrymple's arrival at Aranjues. Sir J. Dalrymple requests permission to go through Spain, and a passport through France. Sir J. Dalrymple presents to the Count de Florida Blanca Lord Rochford's project to prevent the war by a confederation between France, Spain, Portugal, and England; the confederates to guaranty mutually their Colonial possessions; to participate in the commerce of the English Colonies under certain limitations, to be settled by five persons, one from each country; to settle the contested privileges of the

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THE CORRESPONDENCE

OF

JOHN ADAMS,

ONE OF THE COMMISSIONERS TO FRANCE, MIN-
ISTER PLENIPOTENTIARY TO HOLLAND, AND
ONE OF THE COMMISSIONERS FOR NEGOTIATING
THE TREATY OF PEACE.

VOL. IV.—1

JOHN ADAMS'S

CORRESPONDENCE CONTINUED.

TO ROBERT R. LIVINGSTON.

Paris, December 14th, 1782.

Sir,

There is more matter than time to write at present. The King of Sweden has done the United States great honor in his commission to his Minister here to treat with them, by inserting that he had a great desire to form a connexion with States which had so fully established their independence, and by their wise and gallant conduct so well deserved it; and his Minister desired it might be remembered that his Sovereign was the first who had voluntarily proposed a treaty with us.*

Mr. Secretary Townshend announced, on the 3d of December, in a letter to the Lord Mayor, the signature of our preliminaries. On the 5th, his Majesty announced it in his speech to both Houses. Addresses of thanks in both Houses passed without a division.

There is a note in the *Courier de l'Europe* of the 6th instant worth transcribing, viz: "We mark these three lines in italics to

* See Dr. Franklin's letter on this subject, dated June the 25th, 1782. Franklin's Correspondence, Vol. II, p. 269.

notice at present the assertion, which we shall consider more fully hereafter, that we do not owe to any of the causes assigned at present, even in the two Houses of Parliament, the peace, the blessings of which we consider as certain, but to the armed neutrality. This peace will be durable."

I have transcribed this note because it falls in with an opinion that I have long entertained. The armed neutrality, and even Mr. Dana's mission to it, have had greater effects than the world is yet informed of, and would have had much greater if his hands had not been tied.

On the 4th instant I wrote a resignation of all my employments in Europe, which I have now the honor to confirm, and to request that the acceptance of it may be transmitted to me several ways by the first ships.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

ROBERT R. LIVINGSTON TO JOHN ADAMS.

Philadelphia, December 19th, 1782.

Sir,

The enclosed letter for Mr. Dana you will open and peruse. It may possibly contain information that may be useful to you, which it will be unnecessary to repeat here.

I mentioned in my last Mr. Jefferson's appointment; I have the pleasure of adding now, that I have received an account from him of his acceptance of the place. He will be here in the course of ten or twelve days, and sail with Count de Rochambeau, who proposes to return to France. The French troops have embarked with the Marquis de Vaudreuil, and are to sail for the West Indies, unless they should receive counter orders by a frigate which is now in the river. Her letters are not yet come up, as she unfortunately run ashore at Dover; it is yet uncertain whether she will be saved.

The great political question which at present engages the attention of Congress, is the means of providing for the payment of the public debts, or at least establishing such funds for the regular discharge of the interest as may set their creditors at ease as to their capitals. It was imagined that a duty of five per cent. upon all imposts would afford a fund adequate to this. Congress accordingly recommended

it to the several States to impose the duty. They have all complied except Rhode Island. Her refusal renders the other laws nugatory, as they contain clauses suspending their operation until the measure is generally adopted. Congress are about to send down a committee to endeavor to persuade Rhode Island to comply with a measure that they deem so essential to public credit. It is extremely difficult in a country so little used to taxes as ours is, to lay them directly, and almost impossible to impose them so equally as not to render them too oppressive on some members of the community, while others contribute little or nothing. This difficulty is increased by the continued change of property in this country, and by the small proportion the income bears to the value of lands.

By a short letter just received from Mr. Jay, it appears that England has at length swallowed the bitter pill, and agreed to treat with the "thirteen United States of America." I am still at a loss to account for this commission's being directed to Mr. Oswald while Mr. Fitzherbert's continues in force; or is that revoked?*

I will not trouble myself with guesses, as I must receive despatches to-day that will explain the mystery, if either Dr. Franklin or Mr. Jay have kept their words with me.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

—o—

TO CHARLES W. F. DUMAS.

Paris, January 1st, 1783.

Dear Sir,

Returning this evening from Versailles, where I had been to make the compliments of the season, I found your favors of the 26th and 27th of December. The letters enclosed shall be forwarded as you desire.

The Dutch Ministers here have no occasion for my assistance. *Non tali auxilio*. I have the honor to be more particularly acquainted with M. Brantzen, who is certainly a very able man, and universally acknowledged to be so by all who know him. The arguments

* The two commissions were for distinct purposes; Mr. Oswald's to treat with the American Commissioners alone; and Mr. Fitzherbert's to treat for a general peace with the European Powers then at war with England.

which I know he has used with the British Minister, are such as can never be answered, both upon the liberty of navigation and the compensation for damages. He is an entire master of his subject, and has urged it with a degree of perspicuity and eloquence that I know has much struck his antagonists.

Unnecessary, however, as any exertions of mine have been, I have not omitted any opportunity of throwing in any friendly suggestions in my power, where there was a possibility of doing any good to our good friends, the Dutch. I have made such suggestions to Mr. Fitzherbert. But with Mr. Oswald I have had several very serious conversations upon the subject. So I have also with Mr. Vaughan and Mr. Whiteford.

To Mr. Oswald I urged the necessity of Great Britain's agreeing with the Dutch upon the unlimited freedom of navigation, from a variety of topics, some of which I may explain to you more particularly hereafter. Thus much I may say at present, that I told him that it was impossible for Great Britain to avoid it; it would probably be insisted upon by all the other Powers. France and Spain as well as Russia, Sweden, Denmark, Prussia, the Emperor, and Portugal, as well as Holland, had already signed the armed neutrality. The United States of America had declared themselves ready to sign, and were ready. The combination being thus powerful, Great Britain could not resist it. But if she should refuse to agree to it with Holland, and the other Powers should acquiesce, and Holland should make peace without it, (which would never, however, be the case,) yet all would be ineffectual, for Holland would forever be able to make use of other neutral bottoms, and would thus enjoy the benefit of this liberty and reality, though denied it by treaty and in appearance. It would, therefore, be more for the honor and interest of Great Britain to agree to it with a good grace, in the treaty with Holland. Nay, the wisest part she could act would be to set on foot a negociation immediately for signing herself the treaty of armed neutrality, and then admitting it into the treaty with Holland would be a thing of course. At one of these conversations Dr. Franklin was present, who supported me with all his weight; at another, Mr. Jay seconded me with all his abilities and ingenuity. Mr. Oswald has several times assured me that he had written these arguments and his own opinion, in conformity with them, to the King's Ministers in London, and I doubt not they will be adopted.

With respect to the compensation for damages, it is impossible to add anything to the arrangements M. Brantzen has urged to show the justice of it, and if Britain is really wise, she will think it her policy to do everything in her power to soften the resentment of the Dutch, and regain their good will and good humor.

The rage of Great Britain, however, has carried her to such extravagant lengths, in a cause unjust from beginning to end, that she is scarcely able to repair the injuries she has done. America has a just claim to compensation for all her burnt towns and plundered property, and indeed for all her slaughtered sons, if that were possible. I shall continue to embrace every opportunity that presents, of doing all the little service in my power to our good friends the Dutch, whose friendship for us I shall not soon forget. This must be communicated with great discretion, if at all.

My best respects to all,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, January 22d, 1783.

Sir,

Upon a sudden notification from the Count de Vergennes, Dr. Franklin and myself, in the absence of Mr. Jay and Mr. Laurens, went to Versailles, and arrived at the Count's office at ten o'clock on Monday, the 20th of this month. At eleven, arrived the Count d'Aranda and Mr. Fitzherbert. The Ministers of the three Crowns signed and sealed the preliminaries of peace and an armistice, in presence of Dr. Franklin and myself, who also signed and sealed a declaration of an armistice between the Crown of Great Britain and the United States of America, and received a counter declaration from Mr. Fitzherbert. Copies of these declarations are enclosed.*

The King of Great Britain has made a declaration concerning the terms that he will allow to the Dutch; but they are not such as will give satisfaction to that unfortunate nation, for whom, on account of their friendship for us, and the important benefits we have received from it, I feel very sensibly and sincerely. Yesterday we went to Versailles again, to make our court to the King and royal family

* Contained in the Correspondence of the Ministers for negotiating peace.

upon the occasion, and received the compliments of the Foreign Ministers.

The Count d'Aranda invited me to dine with him on Sunday next, and said he hoped that the affairs of Spain and the United States would be soon adjusted *à l'aimable*. I answered, that I wished it with all my heart. The two Floridas and Minorca are more than a *quantum meruit* for what this Power has done, and the Dutch unfortunately are to suffer for it. It is not in my power to say when the definitive treaty will be signed. I hope not before the Dutch are ready—in six weeks or two months at farthest, I suppose.

It is no longer necessary for Congress to appoint another person in my place in the commission for peace, because it will be executed before this reaches America. But I beg leave to renew the resignation of the credence to the States-General, and the commission for borrowing money in Holland, and to request that no time may be lost in transmitting the acceptance of this resignation, and another person to take that station, that I may be able to go home in the spring ships.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, January 23d, 1783.

Sir,

The letters you did me the honor to write on the 6th and 18th of November, came safe to hand.

You do me honor, sir, in applauding the judgment I have formed from time to time of the Court of Britain, and future ages will give me credit for the judgment I have formed of some other Courts. The true designs of a Minister of State are not difficult to be penetrated by an honest man of common sense, who is in a situation to know anything of the secret of affairs, and to observe constantly the chain of public events; for whatever ostensible appearances may be put on, whatever obliquities may be imagined, however the web may be woven, or the thread doubled and twisted, enough will be seen to unravel the whole.

My opinions, as you observe, sometimes run counter to those generally received; but the reason of this has generally been, that I

have had earlier evidence than the generality, and I have had the satisfaction to find that others have formed the same judgment when they have had the same intelligence. I do not affect singularity, nor love to be in a minority, though truth and justice have sometimes obliged me to be so. You say that nothing can be more conformable to your wishes than the instructions I transmitted. I am not surprised at this ; it is very natural. Had I never been on this side of the Atlantic, I believe I should have been of your mind in this particular. At present I cannot be, and I believe by this time the Dutch regret having given them. You will hear enough of the reason of it. I have lived long enough, and had experience enough of the conduct of Governments and people, nations and courts, to be convinced that gratitude, friendship, unsuspecting confidence, and all the most amiable passions in human nature, are the most dangerous guides in politics. I assure you, sir, if we had not been more cautious than the Dutch, we should have been worse off than they, and our country would have suffered much more.

Mr. Laurens has been here, and has behaved with great caution, firmness, and wisdom. He arrived so late as only to attend the two last days of the conferences, the 29th and 30th of November. But the short time he was with us, he was of great service to the cause. He has done great service to America in England, where his conversation has been such as the purest and firmest American could wish it, and has made many converts. He is gone again to Bath, and his journey will do as much good to his country as to his health. He will return to the signature of the definitive treaty.

The ratifications of my contracts have been received.

The release of Captain Asgill was so exquisite a relief to my feelings, that I have not much cared what interposition it was owing to. It would have been a horrid damp to the joys of peace, if we had received a disagreeable account of him.

The difference between Denmark and Holland is of no serious nature. The clue to the whole is, the Queen Dowager is sister to the Duke of Brunswick ; but there is nothing to fear from Denmark. As to the Northern Powers, we have nothing to fear from any of them. All of them, and all the neutral Powers, would have acknowledged our independence before now, by receiving Mr. Dana to sign the principles of the armed neutrality, if he had not been restrained from acting. The unlimited confidence of Congress has been grossly

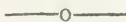
abused, and we should have been irreparably injured, if we had not been upon our guard. As our liberties and most important interests are now secured, as far as they can be, against Great Britain, it would be my wish to say as little as possible of the policy of any Minister of our first ally, which has not been as we could desire, and to retain forever a grateful remembrance of the friendly assistance we have received. But we have evidence enough to warn us against unlimited confidence in any European Minister of State.

I have never drawn upon Dr. Franklin for any money, since the end of my two and a half years' salary; and he tells me he has made no use of the bills. I had received money for my subsistence of Messieurs Willinks, and as it will be but a few months more, at farthest, that I shall have to subsist in Europe, I beg leave to proceed to the end in the same way. I shall receive only the amount of my salary, and settle the account with Congress on my return.

I hope to be safely landed on my native shore in the month of June; and to this end, I beg that an appointment may be made to the Dutch mission, and the acceptance of my resignation be transmitted to me by the first ships.

I have the honor to be, &c.,

JOHN ADAMS.



TO C. W. F. DUMAS.

Paris, January 29th, 1783.

Sir,

Upon receiving the letter which you did me the honor to write me on the 24th, late last evening, I went immediately to consult with my colleague, Mr. Jay, and we agreed to go this morning to Dr. Franklin. Accordingly to-day we went together to Passy, and communicated your letter to him, and after recollecting the powers we have received, we all agreed that I should make you the following answer.

You will readily recollect the resolutions of Congress which I did myself the honor two years ago to communicate to the President of their High Mightinesses, and to the Ministers of Russia, Sweden, and Denmark, at the Hague. The letter to the President was sent "*au greffe*," and there may, perhaps, be now found. These resolutions contained the approbation of Congress of the principles of the

declaration of the Empress of Russia, and authorised any of the American Ministers in Europe, if invited thereto, to pledge the faith of the United States to the observance of them.

Some time after this, Congress sent Mr. Dana a commission with full power to accede to the principles of the marine treaty between the neutral Powers, and he is now at Petersburg vested with these powers, and according to late intelligence received from him, has well-founded expectations of being soon admitted.

It is the opinion of my colleagues, as well as my own, that no commission of mine to their High Mightinesses contains authority to negotiate this business, and we are all of opinion that it is most proper that Mr. Dana should negotiate it.

But as there has been no express revocation of the power given to all or any of us by the first resolutions, and if the case should happen that Mr. Dana could not attend in season on account of the distance, for the sake of accelerating the signature of the definitive treaty of peace, we should not hesitate to pledge the faith of the United States to the observance of the principles of the armed neutrality. I wish it were in my power to give you a more satisfactory answer, but candor will warrant no other.

With great respect to the gentlemen, as well as to you, I have the honor to be, sir, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, February 5th, 1783.

Sir,

The resolution of Congress of the 12th of July, 1781, "that the commission and instructions for negotiating a treaty of commerce between these United States and Great Britain, given to the Honorable John Adams on the 29th day of September, 1779, be, and they are hereby, revoked," was duly received by me in Holland; but no explanation of the motives to it, or the reasons on which it was founded, was ever transmitted to me by Congress, or the Committee of Foreign Affairs, or any individual member, nor has anybody in Europe or America ever once attempted, that I know of, to guess at the reason. Whether it was intended as a punishment to me, or with a charitable design not to lead me into temptation; whether it was

intended as a punishment to the English for their insolence and barbarity ; whether it was intended to prevent or remove suspicions of allies, or the envy and green-eyed jealousy of co-patriots, I know not. Of one thing, however, I am fully satisfied, that Congress had reasons, and meant well ; but whether those reasons were founded on true or mistaken information, I know not.

When I recollect the instructions, which were given and revoked with that commission, I can guess, and only guess, at some considerations which might, or might not, operate with Congress. In these instructions, Congress determined,

1st. That the common right of fishing should in no case be given up.

2dly. That it is essential to the welfare of all these United States, that the inhabitants thereof, at the expiration of the war, should continue to enjoy the free and undisturbed exercise of their common right to fish on the banks of Newfoundland, and the other fishing banks and seas of North America, preserving inviolate the treaties between France and the said States, &c., &c.

3dly. "That our faith be pledged to the several States, that without their unanimous consent no treaty of commerce shall be entered into, nor any trade or commerce whatever carried on with Great Britain, without the explicit stipulation hereinafter mentioned. You are, therefore, not to consent to any treaty of commerce with Great Britain, without an explicit stipulation on her part not to molest or disturb the inhabitants of the United States of America, in taking fish on the Banks of Newfoundland, and other fisheries in the American seas, any where, excepting within the distance of three leagues of the shores of the territories remaining to Great Britain at the close of the war, if a nearer distance cannot be obtained by negotiation. And in the negotiation you are to exert your most strenuous endeavors to obtain a nearer distance in the Gulf of St. Lawrence, and particularly along the shores of Nova Scotia ; as to which latter we are desirous, that even the shores may be occasionally used for the purpose of carrying on the fisheries by the inhabitants of these States."

These instructions are very decisive in favor of our indubitable right to the fisheries ; and it is possible that Congress might be of opinion, that commerce would be the strongest inducement to the English to make peace, and at the same time that there was some thing so naval in the fisheries, that the dread of acknowledging our

right to them would be the strongest obstacle in the way of peace. They might think, too, that peace was of more importance to the United States than a British acknowledgment of our right to the fisheries, which, to be sure, would have been enjoyed by our people in a good degree without it.

Reasonings like these might influence Congress to revoke the commission and instructions in question. But whatever probability there might appear in them at that time, experience has since shown that they were not well founded. On the contrary, arguments have been found to convince the British Ministers themselves, that it was the interest of their King and country, not only to acknowledge the American right to the fisheries, but to encourage the unrestrained exercise of it. These considerations, therefore, can be no longer of any weight against a treaty of commerce with Great Britain, or against accrediting a Minister to the Court of St. James. Nor can I conceive of any motive now existing against this measure. On the contrary so many advantages present themselves to view, that I think it my duty to recommend them to Congress as proper to be adopted without loss of time. If there are in Congress any of those gentlemen with whom I had the honor to serve in the years 1775 and 1776, they may possibly remember, that in arguing in favor of sending Ministers to Versailles, to propose a connexion with that Court, I laid it down as a first principle, that we should calculate all our measures and foreign negociations in such a manner as to avoid a too great dependence upon any one Power of Europe ; to avoid all obligations and temptations to take any part in future European wars. That the business of America with Europe was commerce, not politics or war ; and above all, that it never could be our interest to ruin Great Britain, or injure or weaken her any further than should be necessary to support our independence and our alliances ; and that as soon as Great Britain should be brought to a temper to acknowledge our sovereignty and our alliances, and consent that we should maintain the one, and fulfil the others, it would be our interest and duty to be her friends, as well as the friends of all the other Powers of Europe, and enemies to none.

We are now happily arrived, through many tremendous tempests, at that period. Great Britain respects us as sovereign States, and respects all our political engagements with foreign nations, and as long as she continues in this temper of wisdom, it is our duty to

respect her. We have accordingly made a treaty with her and mutually sworn to be friends. Through the whole period of our warfare and negociations, I confess I have never lost sight of the principles and the system, with which I set out, which appeared to me to be the sentiments of Congress with great unanimity, and I have no reason to believe that any change of opinion has taken place; if there has not, every one will agree with me, that no measure we can pursue will have such a tendency to preserve the Government and people of England in the right system for their own and our interest, and the interest of our allies too, well understood, as sending a Minister to reside at the Court of London.

In the next place, the Court of London is the best station to collect intelligence from every part, and by means of the freedom of the press to communicate information for the benefit of our country, to every part of the world. In time of peace, there is so frequent travelling between Paris, London, and the Hague, that the correspondence of our Ministers at those Courts may be carried on by private hands, without hazarding any thing from the infidelity of the posts, and Congress may reasonably expect advantages from this circumstance.

In the third place, a treaty of commerce with Great Britain is an affair of great importance to both countries. Upon this occasion I hope I shall be excused if I venture to advise, that Congress should instruct their Minister not to conclude such a treaty, without sending the project to them for their observations and fresh instructions, and I think it would not be improper, on this occasion, to imitate the Dutch method, and take the project, *ad referendum*, and transmit it to the Legislatures of all the States for their remarks, before Congress finally resolve. Their Minister may be authorised and instructed, in the mean time, to enter into a temporary convention for regulating the present trade, for a limited number of months or years, or until the treaty of commerce shall be completed.

In the fourth place, it is our part to be the first to send a Minister to Great Britain, which is the older, and as yet the superior State. It becomes us to send a Minister first, and I doubt not the King of Great Britain will very soon return the compliment. Whereas if we do not begin, I believe there will be many delicacies at St. James's about being the first to send. I confess I wish a British Minister at Philadelphia, and think we should derive many benefits from his

residence there. While we have any foreign Ministers among us, I wish to have them from all the great Powers with whom we are much connected. The *Corps Diplomatique* at every Court is, or ought to be, a system representing at least that part of the system of Europe with which that Court is most conversant.

In the same manner, or at least from similar reasons, as long as we have any one Minister abroad at any European Court, I think we ought to have one at every one to which we are most essentially related, whether in commerce or policy, and therefore while we have any Minister at Versailles, the Hague, or London, I think it clear we ought to have one at each, though I confess I have sometimes thought, that after a very few years, it will be the best thing we can do to recall every Minister from Europe, and send embassies only on special occasions.

If, however, any members of Congress should have any delicacies lest an American Minister should not be received with a dignity becoming his rank and character at London, they may send a commission to make a treaty of commerce with Great Britain, to their Minister at Madrid, or Versailles, or the Hague, or St. Petersburg, and instruct him to carry on the negociation from the Court where he may be, until he shall be invited to London, or a letter of credence may be sent to one of these, with instructions to go to London, as soon as the King shall appoint a Minister to go to Philadelphia.

After all, however, my opinion is, that none of these manœuvres are necessary, but that the best way will be to send a Minister directly to St. James's, with a letter of credence to the King, as a Minister Plenipotentiary, and a commission to treat of a treaty of commerce, but with instructions not to come to any irrevocable conclusion, until Congress and all the States have an opportunity to consider of the project, and suggest their amendments.

There is one more argument in favor of sending a Minister forthwith; it is this: while this mission lies open, it will be a source of jealousy among present Ministers, and such as are or may be candidates to be foreign Ministers, a source of intrigue and faction among their partizans and adherents, and a source of animosity and division among the people of the States. For this reason, it is a pity that the first choice had not been such as Congress could have continued to approve, and the first measure such as Congress could have constantly persevered in. If this had been the case, the door

of faction would have been kept shut. As this, however, was once my department, by the voice of eleven States, in twelve present, and as I will be answerable, at any hazard, it will never be the department of any one by a greater majority, there seems to be a propriety in my giving my advice concerning it, on taking leave of it, if such is the will of Congress, as I have before done in this letter, according to the best of my judgment. And if it should not be thought too presumptuous, I would beg leave to add what is my idea of the qualifications necessary for an American foreign Minister in general, and particularly and above all to the Court of St. James's.

In the first place, he should have an education in classical learning, and in the knowledge of general history, ancient and modern, and particularly the history of France, England, Holland, and America. He should be well versed in the principles of ethics, of the law of nature and nations, of legislation and government, of the civil Roman law, of the laws of England and the United States, of the public law of Europe, and in the letters, memoirs, and histories of those great men who have heretofore shone in the diplomatic order, and conducted the affairs of nations and the world. He should be of an age to possess a maturity of judgment, arising from experience in business. He should be active, attentive, and industrious, and, above all, he should possess an upright heart, and an independent spirit, and should be one who decidedly makes the interest of his country, not the policy of any other nation, nor his own private ambition or interest, or those of his family, friends, and connexions, the rule of his conduct.

We hear so much said about a genteel address, and a facility in speaking the French language, that one would think a dancing master and a French master the only tutors necessary to educate a statesman. Be it remembered, the present revolution, neither in America nor Europe, has been accomplished by elegant bows, nor by fluency in French, nor will any great thing ever be effected by such accomplishments alone. A man must have something in his head to say, before he can speak to effect, how ready soever he may be at utterance. And if the knowledge is in his head, and virtue in his heart, he will never fail to find a way of communicating his sentiments to good purpose. He will always have excellent translators ready, if he wants them, to turn his thoughts into any language he desires.

As to what is called a fine address, it is seldom attended to after a first or second conversation, and even in these, it is regarded no more by men of sense of any country, than another thing, which I heard disputed with great vivacity among the officers of the French frigate the *Sensible*. The question was, what were the several departments of an Ambassador and a Secretary of Legation? After a long and shrewd discussion, it was decided by a majority of votes, "that the Secretary's part was to do the business, and that of an Ambassador to keep a mistress." This decision produced a laugh among the company, and no ideas of the kind will ever produce anything else among men of understanding.

It is very true, that it is possible that a case may happen that a man may serve his country by a bribe well placed, or an intrigue of pleasure with a woman. But it is equally true, that a man's country will be sold and betrayed a thousand times by this infamous commerce, where it will be once served. It is very certain that we shall never be a match for European statesmen in such accomplishments for negotiation, any more than, I must and will add, they will equal us in any solid abilities, virtues, and application to business, if we choose wisely among the excellent characters with which our country abounds.

Among the Ministers who have already crossed the Atlantic to Europe, there have been none exceeding Mr. Jay and Mr. Dana in all the qualifications I have presumed to enumerate, and I must say that if I had the honor to give my vote in Congress for a Minister at the Court of Great Britain, provided that injustice must be finally done to him who was the first object of his country's choice, such have been the activity, intelligence, address, and fortitude of Mr. Jay, as well as his sufferings in his voyage, journeys, and past services, that I should think of no other object of my choice than that gentleman. If Congress should neglect all their old Ministers, and send a fresh one from America, they cannot be at a loss, for there are in that country great numbers of men well qualified for the service. These are most certainly better known by name to Congress than to me, and therefore I shall venture no further, but conclude by wishing this arduous business well settled, and by assurances to Congress, and to you, sir, of my warmest attachment and respect.

I have the honor to be, &c.,

JOHN ADAMS.

ROBERT R. LIVINGSTON TO JOHN ADAMS.

Philadelphia, February 16th, 1783.

Dear Sir,

On my return the night before last from a journey to the State of New York, I found your favors of the 6th, the 7th, the 17th, the 19th, and the 23d of September. They contain important and useful information; and that particularly of the 6th is replete with matter which deserves an attention that I lament not having it in my power to give it at this moment, as the express by which this goes to Baltimore is on the wing.

I congratulate you most sincerely upon having surmounted all the obstacles that opposed themselves to the completion of our important connexion with the United States, [of Holland.] It has, I think, given the last blow to the pride of Britain. Its power, so far as it could endanger us, was past recovery before, except as it derived force from its pride, which, like the last struggles of a dying man, gave an appearance of vigor to the body which it was about to destroy.

This covers a ratification of the treaty. The first copy sent by Mr. Jefferson has not been signed by me, owing to my absence. That gentleman has not yet sailed from Baltimore, having been delayed by a number of the enemy's cruisers which infest the bay.

We this day received the speech of his Britannic Majesty. It breathes so much the language of peace, that I begin to think it will be unnecessary to give Mr. Jefferson the trouble of going over at all. The delays he has met with leave you longer without intelligence from hence than I would ever wish you to be, though no important event has taken place, except the evacuation of Charleston. Our distress for want of money has rather increased than diminished. This object will demand your attention full as much if the war should be terminated, as if it should continue. The army and the other public creditors begin to grow very uneasy, and our present exhausted situation will not admit of internal loans, or such taxes as will suffice to give them relief.

I have sent you three different sets of cyphers, not thinking it advisable to send duplicates. Be pleased to let me know whether any and which have arrived safe.

I am, sir, &c.,

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Paris, March 2d, 1783.

Sir,

I am very much of your opinion that all places in general in foreign countries under the United States should be filled with Americans, but am sometimes requested to transmit to Congress applications and recommendations in so pressing a manner, and by persons of distinction, that it would be scarcely civil to refuse.

Such an instance is the following, and if Congress should depart from the general rule, I suppose that no person at Leghorn has so good pretensions.

The application to me is this :

“Messrs. Touissaint, Doutremont & Co., merchants of great credit at Leghorn, who obtained forty-five years ago letters of nobility from the Court of France, pray the gentlemen the deputies of the United States of America, to grant them the place of Consul or of Agent of their commerce at Leghorn.”

At least, if Congress or their Ministers have occasion for a correspondent in that city, they will not be at a loss.

I have the honor to be, &c.,

JOHN ADAMS.

—O—

ROBERT R. LIVINGSTON TO JOHN ADAMS.

Philadelphia, April 14th, 1783.

Sir,

I received two days ago your favors of the 22d and 23d of January, with the declarations for the cessation of hostilities, on which a doubt of much importance to the people of this country is started, to wit: to know at what period hostilities ceased on this coast—that is, what is meant by “as far as the Canaries.” If it means in the same *latitude*, hostilities ceased here the 3d of March, and a great number of vessels must be restored. If it does not mean a latitudinal line, what does it mean which carries any certainty with it? The terms of the provisional treaty also occasion much debate. A variety of questions have been started, but these I shall speak of in my letter to you in conjunction with your colleagues, that you may, if oppor-

tunity should offer before the definitive treaty is concluded, find some means to rid them of their ambiguity.

It would give me pain to find that the Dutch do not attain their objects in the close of the war, and still more to impute their misfortunes to any desertion of their interests by France, since I confess freely to you, that her conduct, as far as I have observed it, has appeared to me in the highest degree generous and disinterested. The extreme langour of the Dutch, their divisions, and the less than nothing that they have done for themselves, entitle them to little. Without the uncommon exertions of France, they would not have had a single settlement left either in the East or West Indies. So that they lay absolutely at her mercy, and, therefore, I was pleased to find their instructions to their Ministers so expressed as to leave no room to fear that they would obstruct the peace, when they contributed so little to the prosecution of the war. But I rather pitied than blamed their weakness; they were torn by factions, and clogged by an executive which strove to find reasons for having no execution.

Congress, the day before yesterday, agreed to ratify the Provisional Articles as such, and to release their prisoners, in which the British took the lead. The Tories have little reliance upon the effect of the recommendations of Congress; great numbers of them have sailed, and are daily sailing for Nova Scotia.

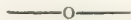
With respect to your salary, I must pray you to settle with Dr. Franklin the amount of bills drawn in your favor. You will, with those that go by this conveyance, receive the amount of three quarters' salary, at two thousand seven hundred and seventy-seven dollars and sixty-eight ninetieths per quarter, which were laid out in bills at six shillings three pence this money, for five livres, which was a very advantageous exchange for you. This, however, Congress have directed, by the enclosed resolution, to be altered, and your salaries to be paid in bills at the rate of five livres five sous per dollar. As this resolution retrospects you will have, with the bills transmitted to you, livres more than is due for three quarters' salary. This will be deducted from the last quarter, for which I will get a warrant, and leave it with the Treasury here for you or your order. By settling this matter with Dr. Franklin, and redrawing upon your banker in Holland, you will leave my accounts unembar-

passed, which is of consequence to me, as I have determined to quit the place I now hold, in the course of a few weeks, and enjoy in retirement the pleasures of peace. I have charged no commissions on these money transactions, nor do I propose to charge any.

Your account of contingent expenses is before a committee. Should Congress agree to accept your resignation, (which I am sorry to see you offer, since the connexions you have formed, and the experience you have acquired, might render you particularly serviceable in Holland,) it will be best that you settle it with them yourself on your arrival. The want of permanent funds, and the opposition which some States have given to every attempt to establish them, the demands of the public creditors, and particularly of the army, have excited much uneasiness here. Satisfactory measures will, I hope, be adopted to calm it, and do ample justice. The army, whose proceedings I transmit, have done themselves honor by their conduct on this occasion. Too much praise could not be given to the commander-in-chief, for the share he had in the transaction, if he was not above all praise.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

Paris, April 14th, 1783.

Sir,

You may easily imagine our anxiety to hear from America, when you know that we have no news to this hour, either of your reception of the news of peace, or that of the treaty with Holland, four copies of which I put on board different vessels at Amsterdam, in October.

We have been in equal uncertainty about the turn which affairs might take in England. But by letters from Mr. Laurens we expect him every day, and Mr. David Hartley with him, in order to complete the definitive treaty. It would have been more agreeable to have finished with Mr. Oswald. But the present Ministry are so dissatisfied with what is past, as they say, though nobody believes them, that they choose to change hands.

It will be proposed, I believe, to make a temporary arrangement

of commercial matters, as our powers are not competent to a durable one, if to any. Congress will, no doubt, soon send a Minister with full powers, as the treaty of commerce with Great Britain is of great importance, and our affairs in that country require an overseer.

It is confidently asserted, in letters from Holland, that M. Markow, the Minister Plenipotentiary from the Empress of Russia, has received from his mistress a full power to come to Paris, to the assistance of the Prince Bariatinski, at a Congress for a general pacification. There is, as yet, no answer received from the Emperor. If the two Imperial Courts accept of the mediation, there will be a Congress; but I suppose it will relate chiefly to the affairs of Holland which are not yet arranged, and to the liberty of neutral navigation, which is their principal point. I wish success to that Republic in this negotiation, which will help to compose their interior disorders, which are alarming.

I know not whether it will be insisted or expected, that we should join in the Congress, nor do I know what we have to do in it, unless it be to settle that point as far as it relates to us. There is nothing in difference between us and Great Britain, which we cannot adjust ourselves, without any mediation.

A spring passage to America is so great an object, that I should be very sorry to have the negotiations spun out to such a length as to oblige me to lose it, and I take it for granted I shall now receive the acceptance of my resignation by the first ships.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT MORRIS.

Paris, May 21st, 1783.

Sir,

I am just now honored with yours of the 19th of January, by the way of London. We have not yet had the happiness to receive, as we should be disposed to do with open arms, our excellent old friend Jefferson, and begin to fear that the news of peace has determined him not to come.

I thank you, sir, for your polite congratulations; when the tide turned, it flowed with rapidity, and carried the vessel, as I hope, into a safe harbor.

As to the loan in Holland, I have never troubled you, nor any one

else in America, with details of the vexations of various kinds, which I met with in the negociation of it; indeed, I never thought it prudent or safe to do it. If I had told the whole truth, it could have done no good, and it might have done infinite mischief. In general, it is now sufficient to say, that private interest, party spirit, factions, cabals, and slanderers, have obstructed, perplexed, and tortured our loan in Holland, as well as all our other affairs, foreign and domestic. But as there has been a greater variety of clashing interests, English, French, Stadtholderian, Republican, and American, mixing in the affair of our loan in Holland, it has been more puzzled than any thing else. If, in the bitterness of my soul, I had described the fermentation, and mentioned names, and drawn characters, I might have transmitted a curious tale, but it would have only served to inflame old animosities, and excite new ones.

A great many things are said to me, on purpose that they may be represented to you or to Congress. Some of these I believe to be false, most of them I suspect, and some of them that are true would do no good. I think it necessary, therefore, to employ a little discretion in such cases.

Messrs. Willinks & Co. will write you from time to time, as they tell me they have done, the state of the loan. Mr. Grand wants all the money, but they wait your orders. The loan has been and will be damped by transmitting the money to France, but your necessities were so urgent that you could not avoid it.

In my opinion, if you had a Minister at St. James's, and he were authorized to borrow money generally, in England or elsewhere, it would serve you greatly, by causing an emulation, even in Holland, besides the money you would procure in London, which would not be a trifling sum.

I wish I were in Congress, that I might assist you in persuading our countrymen to pay taxes and build ships.

With great esteem and respect, I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, May 24th, 1783.

Sir,

I have the honor to enclose copies, to be laid before Congress, of

several papers. 1st. Mr. Hartley's full powers, of May 14th. 2dly. The order of the King of Great Britain in Council, for regulating the American trade, of May 14th. 3dly. Articles proposed by the American Ministers to Mr. Hartley, April 29th. 4thly. Mr. Hartley's observations left with us May 21st. And 5thly. Mr. Hartley's proposition of the same day.*

This proposition, however, upon inquiry, we find Mr. Hartley does not incline to subscribe to, before he sends it to his Court for their orders. So that we have not yet given him our opinion of it. He has sent a courier to London, before whose return we hope to have further intelligence from Philadelphia.

The present British Ministry discover an indecision and timidity, which indicate instability. Some persons from England imagine that my Lord Shelburne will come in again. The change would produce a longer delay; but I think would be no disadvantage to America. If he had continued in power, I think we should have finished, or been ready to finish, before now with Mr. Oswald. Mr. Hartley's dispositions, however, are very good, and if left to his own judgment, would be liberal and fair.

The idea of reviving the trade, upon the plan of the laws of Great Britain before the war, although those laws were calculated so much for the advantage of that country, and so little for the advantage of ours, might be admissible for a few months, until Ministers could be appointed on both sides to frame a treaty of commerce; provided no advantage should be ceded by it in the negociation of such treaty, and provided that such a temporary convention for trade should neither delay nor influence the definitive treaty. It is much to be wished that the definitive treaty of peace, and a permanent treaty of commerce, could be signed at the same time. This, however, seems now to be impossible; and, therefore, some temporary regulation of commerce seems unavoidable. But we are as yet too uncertain of the sentiments of the Court of St. James to be able to foresee whether we shall be able to agree with them. Mr. Hartley has been here four weeks, and nothing has been done, although he was very sanguine before he left London, that he should send home a convention in less than half of four days.

* These papers will be found in the Correspondence of the Commissioners for making peace.

Congress will see, by Mr. Hartley's commission, that they are become the "good friends" of the King of Great Britain. Mr. Hartley, on his first arrival here, communicated to us in form an invitation from the Ministers, with the knowledge and consent of the King, to all the American Ministers to go to London, with the assurance that we should be there presented at Court, and treated in all respects like the Ministers of any other sovereign State. He also communicated the desire of his Court, that the two Powers should interchange Ministers as soon as possible. I hope that the first ship will bring a Minister for that Court, or a commission to some one to go there, because I think it would have been useful to us to have had one there three months ago, and that it would not be less useful now. The permanent treaty of commerce, nevertheless, should not be hastily concluded, nor before Congress shall have had an opportunity to judge of the project, suggest their amendments, and transmit their orders.

No preliminaries are yet signed with the Dutch, and I am very anxious for their lot.

With great respect, I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, May 30th, 1783.

Sir,

On the 23th of this month, the letter which you did me the honor to write me on the 13th of February, which arrived at the Hague, I received, enclosed with the ratification of the treaty with their High Mightinesses, which will be exchanged by M. Dumas, as the conferences here for the definitive treaty will not admit of my taking so long a journey at this time.*

This arrival in season to exchange the ratifications before the departure of M. Van Berckel, which is to be in about three weeks, is fortunate. I hope that the first ships from America will bring my letter of recall from that Republic, and another Minister, or credence to some one now in Europe, to take my place.

* The particulars of the ratification will be seen in M. Dumas's Correspondence.

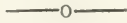
I am happy to find that any letters of mine in September last contained information that you think of consequence, although, not having my letter book here, I am not able to recollect the subject. The final completion of the negociation with Holland gives me a pleasure, which will not be equalled but by that of the definitive treaty of peace, which languishes at present for want of decisive instructions from Mr. Hartley, in such a manner as gives cause to suspect that the present Ministry are not firm in their seats.

The presence of a Minister in Holland would encourage your loan of money there, but it would be quickened still more by your sending a Minister to London, with powers to borrow money there. Emulation is the best spring; or call it rivalry, or jealousy, if you will, it will get you money, if you put it in motion.

I have received two cyphers from you, sir, one beginning with No. 1, and ending with No. 1011. The other beginning with Amsterdam, and ending with Provinces.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, June 9th, 1783.

Sir,

The enclosed, No. 121 of the *Politique Hollandais*, having translated a few sentences of mine, and the author intending to insert more, as he has already inserted a good deal of the same correspondence, I think it proper to transmit you a short relation of it.

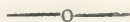
In 1780, at Paris, a number of pamphlets of Mr. Galloway's were sent me from England. I wrote to a friend an answer to them. He sent it to London to be published. But whether the printers were afraid, or from what other motive, I know not, I heard nothing of them until the spring and summer of 1782, when some of them appeared in print, in Parker's General Advertiser, under the title of "*Letters from a distinguished American*," &c., but with false dates.

There are in those letters so many of the characteristic features of the provisional treaty of the 30th of November, 1782, that the publication of them in England, at the time when they appeared, may be supposed to have contributed, more or less, to propagate

such sentiments as the more private circulation of them before had suggested to a few. And as they were written by one of your Ministers at the conferences for peace, who repeated and extended the same arguments to the British Ministers in the course of the negotiation, it is proper that you should be informed of them. Whether I have in any former letter mentioned this subject, or not, I do not recollect. If I have, I pray you to excuse the repetition.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, June 16th, 1783.

Sir,

Yesterday afternoon, the duplicate of your letter of the 14th of April, No. 16, was brought in to me, with the post-mark "Brest" upon it. As soon as I had read it, I went out to Passy, in hopes that other despatches had arrived there, but I found none. While I was there, a packet of newspapers addressed to us all was brought in with the post-mark of Brest on it. I still hope and believe that other despatches, by the same conveyance, will appear in a few days, but whether they are still in the post office, or whether the Duc de Lauzun intends to bring them in person, is uncertain.

I think, sir, there is no room to doubt the justice of your opinion, that the latitude of the Canaries is meant, and, consequently, that hostilities ceased on the whole coast of the United States on the 3d of March.

I am well aware that a variety of questions may be started upon the provisional articles. The great points of sovereignty, limits, and fisheries, are sufficiently clear. But there are too many other things in much obscurity. No one of us alone would ever have put his hand to such a writing. Yet there is no one to blame. It must be confessed that it was done in haste, but that haste was inevitable. The peace depended absolutely upon the critical moment when that treaty was signed. The meeting of Parliament was so near, and the state of the Ministry so critical, that if that opportunity had been lost, there would have been at least another campaign. There were never less than three of us, and there were finally no less than three

to be consulted on the other side. These inaccuracies are much to be lamented, but they were quite unavoidable. We shall endeavor to explain them in the definitive treaty, but I fear without success.

I hope, sir, you will excuse me, if I think your expressions fall short of the real merit of the Dutch. If they had accepted the Russian mediation for a separate peace, we should have seen a very formidable difference. The vast weight of the Dutch in the East Indies, being added to that of France, has influenced the minds of the natives in such a manner as to turn the scale against England. The Cape of Good Hope was indispensable to France, and we are not yet informed what proportion of the expense of French operations in the East Indies is to be borne by the Dutch East India Company, at whose solicitations, by their agents, sent early to Versailles, they were undertaken. From twelve to fifteen British ships-of-the-line, in the best condition, with the best officers and men, have been kept almost constantly in the North seas to watch the Dutch, a momentous diversion, which made the balance more clear in favor of the allies in the East and West Indies, as well as in the Channel; and it may be added, and that with strict truth, the battle of Doggerbank imprinted more terror on the imaginations of the British navy and nation, than all the other sea engagements of the war.

Your observations of their unfortunate situation are, however, very just, and their exertions have not been such as they might and ought to have been. But this was the fault of the enemies of France in Holland, not of their friends, and, unhappily, those enemies are to be gratified by the terms of peace prescribed to that Power, and those friends mortified. And this misfortune probably arises from the instructions in question, by which they made themselves of no importance, instead of acting the part of a sovereign, independent, and respectable Power. If they had held their own negotiations in their own hands, they would probably have obtained better terms. I could mention many facts and anecdotes of much importance; but these have been communicated to me in confidence, and as this is a discussion that concerns us only indirectly, and as our instructions were parallel to theirs, although the execution of them was different, and the event different, I shall waive any further observations upon the subject.

We are happy to learn that Congress have ratified the treaty, imperfect as it is, and that each side has released its prisoners. Mr.

Hartley communicated to us officially two days ago, that orders were gone to New York to evacuate the United States.

Dr. Franklin has never made any use of the bills for my salary, and I have never received any part of them. I shall easily settle that matter when I get home, which your letter encourages me to hope will be very soon. The connexions I have formed in Holland may be of use to the public, wherever I may be, in America or elsewhere as well as even in that country itself. Those connexions will readily become those of any Minister Congress may send there. It cost me all my happiness, and had very nearly cost me my life, to form them ; it cost me more ; it has left me in an ill state of health, which I never shall fully repair. I shall carry Holland in my veins to my grave. It will cost no man any thing to go there now. His mind will be at ease, and he will have spirits necessary to take care to preserve his health. To me it has become physically necessary, as well as a moral and religious duty to join my family. This can be done only by going to them, or bringing them to me ; and to bring them to Holland is what I cannot think of, both because, that on account of my own health, as well as theirs, and on other considerations, I should not choose to live among those putrid lakes, and because I think I can do my country more and better service at home than there.

I will not disguise another motive which would be altogether insurmountable if it were alone. I do not think it consistent with the honor of the United States, any more than with my own, for me to stay in Holland after the appointment of any other Minister whatsoever to the mission upon which I came to Europe, and which has been taken from me without assigning any reason. Congress are the sovereign judges for themselves and the public of the persons proper for all services, excepting that every citizen is a sovereign judge for himself. I have never adopted the principle that it is a citizen's duty to accept of any trust that is pointed out to him, unless he approves of it. On the contrary, I think it a right and a duty that no law of society can take away, for every man to judge for himself whether he can serve consistently with his own honor, and the honor and interest of the public.

When the existence of our country and her essential interests were at stake, it was a duty to run all risks, to stifle every feeling, to sacrifice every interest, and this duty I have discharged with patience

and perseverance, and with a success that can be attributed only to Providence. But in time of peace, the public in less danger abroad than at home, knowing I can do more good at home, I should do a very wrong thing to remove my family to stay in Holland merely for the sake of holding an honorable commission, making and receiving bows and compliments, and eating splendid suppers at Court.

There is one piece of advice I beg leave to offer to the Minister who may go to Holland respecting a future loan of money. It is, to inquire whether the house of Hope would undertake a loan for us, either in conjunction with the houses who have the present one, or with any of them, or alone. In my private opinion, which ought to be kept as secret as possible, we might obtain a large loan in that way, and that we cannot in any other. The people in that interest have the money. I am not personally known to that house, nor any one of them to me, but I know they are all powerful in money matters, and I believe they would engage.

The happy turn given to the discontents of the army by the General, is consistent with his character, which, as you observe, is above all praise, as every character is whose rule and object are duty, not interest nor glory, which I think has been strictly true with the General from the beginning, and I trust will continue to the end. May he long live and enjoy his reflections, and the confidence and affections of a free, grateful, and virtuous people.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, June 23d, 1783.

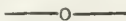
Sir,

Your favor of the 14th of April, No. 16, acknowledged the receipt of mine of the 21st and the 22d of January, but took no notice of any letters which went by Captain Barney. Neither Dr. Franklin, Mr. Jay, nor myself have any answer to the despatches which went by this express; although yours to me, No. 16, gave cause to expect letters to us all, with instructions concerning the definitive treaty. This profound silence of Congress, and the total darkness in which we are left concerning their sentiments, is very distressing to us, and very dangerous and injurious to the public.

I see no prospect of agreeing upon any regulation of commerce here. The present Ministry are afraid of every knot of merchants. A clamor of an interested party more than an evil to their country is their dread. A few West India merchants in opposition to the sense and interest of the West India planters, are endeavoring to excite an opposition to our carrying the produce of the West India Islands from those Islands to Europe, even to Great Britain. There are also secret schemes to exclude us, if they can, from the trade of Ireland, to possess themselves of the carrying trade of the United States, by prohibiting any American vessel to bring to Great Britain any commodity but those of the State to which it belongs. Thus, a Philadelphia vessel can carry no tobacco, rice, or indigo, nor a Carolina vessel wheat or flour, nor a Boston vessel either, unless grown in its own State. In this way, a superficial party think they can possess themselves of the carriage of almost all the productions of the United States, annihilate our navigation and nurseries of seamen, and keep all to themselves more effectually than ever. They talk, too, of discouraging the people of the United States, and encouraging those of Canada and Nova Scotia, in such a manner as to increase the population of those two Provinces even by migrations from the United States. These are dreams, to be sure; but the dreamers are so many as to intimidate the present Ministry, who dare venture upon nothing that will make a clamor. I have lately heard that the merchants in America are waiting to hear the regulations of trade made here. They will wait I know not how long. There is no present prospect of our agreeing at all upon any regulations of trade.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, June 23d, 1783.

Sir,

The British nation and Ministry are in a very unsettled state; they find themselves in a new situation, and have not digested any plan. Ireland is in a new situation; she is independent of Parliament, and the English know not how to manage her. To what an extent she will claim a right of trading with the United States is unknown.

Canada, too, and Nova Scotia, are in a new situation; the former, they say, must have a new government. But what form to give them, and, indeed, what kind of government they are capable of, or would be agreeable to them, is uncertain. Nothing is digested.

There is a party composed probably of refugees, friends of the old hostile system, and fomented by emissaries of several foreign nations, who do not wish a cordial reconciliation and sincere friendship between Great Britain and the United States, who clamor for the conservation of the navigation act and the carrying trade. If these should succeed so far as to excite Parliament or the Ministry to adopt a contracted principle to exclude us from the West India trade, and from trading with Canada and Nova Scotia, and from carrying freely in vessels belonging to any one of the thirteen States the production of any other to Great Britain, the consequences may be to perplex us for a time, may bind us closer to France, Spain, Holland, Germany, Italy, and the Northern nations, and thus be fatal to Great Britain, without being finally very hurtful to us.

The nations of Europe who have islands in the West Indies have, at this moment, a delicate part to take. Upon their present decisions great things will depend. The commerce of the West India Islands is a part of the American system of commerce. They can neither do without us, nor we without them. The Creator has placed us upon the globe in such a situation, that we have occasion for each other. We have the means of assisting each other, and politicians and artful contrivances cannot separate us. Wise statesmen, like able artists of every kind, study nature, and their works are perfect in proportion as they conform to her laws. Obstinate attempts to prevent the Islands and the Continent by force or policy from deriving from each other those blessings which nature has enabled them to afford, will only put both to thinking of means of coming together. And an injudicious regulation at this time may lay a foundation for intimate combinations between the Islands and the Continent which otherwise would not be wished for or thought of by either.

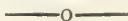
If the French, Dutch, and Danes have common sense, they will profit of any blunder Great Britain may commit upon this occasion. The ideas of the British Cabinet and merchants at present are so confused upon all these subjects, that we can get them to agree to nothing. I still think that the best policy of the United States is to send a Minister to London to negotiate a treaty of commerce,

instructed to conclude nothing, not the smallest article, until he has sent it to Congress and received their approbation. In the meantime, Congress may admit any British or Irish ships that have arrived, or may arrive, to trade as they please.

For my own part, I confess I would not advise Congress to bind themselves to any thing that is not reasonable and just. If we should agree to revive the trade upon the old footing, it is the utmost that can, with a color of justice or modesty, be requested of us. This is not equal, but might be borne. Rather than go further, and deny ourselves the freight from the West Indies to Europe, at least to Great Britain, especially rather than give away our own carrying trade, by agreeing that the ships of one State should not carry to Great Britain the produce of another, I would be for entering into still closer connexions with France, Spain, and Holland, and purchase of them, at the expense of Great Britain, what she has not wisdom enough to allow us for her own good.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, June 24th, 1783.

Sir,

The gazettes of Europe still continue to be employed as the great engines of fraud and imposture to the good people of America. Stockjobbers are not the only people who employ a set of scriblers to invent and publish falsehoods for their own peculiar purposes. British and French, as well as other politicians, entertain these fabricators of paragraphs, who are stationed about in the various cities of Europe, and take up each other's productions in such a manner that no sooner does a paragraph appear in a French, Dutch, or English paper, but it is immediately seized on, and reprinted in all the others; this is not all: in looking over the American newspapers, I observe that nothing is seized on with so much avidity by the American *nouvellists* for republication in their gazettes, as these political lies. I cannot attribute this merely to the credulity of the printers, who have generally more discernment than to be deceived. But I verily believe there are persons in every State employed to select out these things, and get them reprinted.

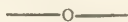
Sometimes the invention is so simple as really to deceive. Such, I doubt not, will be that of a long paragraph in the English papers, all importing that Mr. Hartley had made a treaty of commerce with us, or was upon the point of concluding one. Nothing is further from the truth. We have not to this hour agreed upon one proposition, nor do I see any probability that we shall at all respecting commerce.

We have not, indeed, as yet, agreed upon a point respecting the definitive treaty. We are waiting for those instructions of yours, which you mentioned in yours of the 14th of April, which I have not yet received.

Americans should be cautious of European newspapers, as well as of their own; more so, indeed, because they have not so much knowledge and so good opportunities to detect the former as the latter. There is a great number of persons in Europe who insert things in the papers in order to make impressions in America. Characters are in this way built up and pulled down without the least consideration of justice, and merely to answer sinister purposes, sometimes extremely pernicious to the United States.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, June 27th, 1783.

Sir,

Yesterday Dr. Franklin, Mr. Jay, and myself, met to prepare the definitive treaty, and made so much progress in it, that to-morrow we shall be ready to communicate to Mr. Hartley the result. But I have small hopes of obtaining any thing more by the definitive treaty.

The Duke of Manchester and Count d'Aranda have arranged every thing between England and Spain, and are ready to finish for their two Courts. France, I presume, waits only for Holland, or perhaps for some other negotiation with the Imperial Courts. If all the other parties were now to declare themselves ready, we should be puzzled. In such a case, however, I am determined (and I believe, but do not know, that my colleagues would join me) to

declare myself ready to sign the provisional treaty, *totidem verbis*, for a definitive treaty.

From all I can learn, I am persuaded we shall gain nothing by any further negotiation. If we obtain any thing by way of addition or explanation, we shall be obliged to give more for it than it is worth. If the British Minister refuses to agree to such changes as we may think reasonable, and refuses to sign the Provisional Articles as definitive ones, I take it for granted France will not sign till we do. If they should they are still safe, for the Provisional Articles are to constitute the treaty as soon as France has made peace, and I should rather have it on that footing, than make any material alteration.

I have put these several cases, because I should be surprised at nothing from the present British Ministry. If they have any plan at all, it is a much less gracious one towards America than that of their immediate predecessors. If Shelburne, Townshend, Pitt, &c., had continued, we should have had every thing settled long ago, to our entire satisfaction, and to the infinite advantage of Great Britain and America, in such a manner as would have restored good humor and affection, as far as in the nature of things they can now be restored.

After the great point of acknowledging our independence was got over, by issuing Mr. Oswald's last commission, the Shelburne Administration conducted towards us like men of sense and honor. The present Administration have neither discovered understanding nor sincerity. The present British Administration is unpopular, and it is in itself so heterogeneous a composition, that it seems impossible it should last long. Their present design seems to be not to commit themselves by agreeing to any thing. As soon as any thing is done, somebody will clamor. While nothing is done, it is not known what to clamor about. If there should be a change in favor of the Ministry that made the peace, and a dissolution of this profligate league, which they call the coalition, it would be much for the good of all who speak the English language. If fame says true, the coalition was formed at gambling tables, and is conducted as it was formed, upon no other than gambling principles.

Such is the fate of a nation, which stands tottering on the brink of a precipice, with a debt of two hundred and fifty-six millions sterling on its shoulders; the interest of which, added to the peace establishment only, exceeds by above a million annually all their revenues,

enormously and intolerably as they are already taxed. The only chance they have for salvation is in a reform, and in recovering the affection of America. The last Ministry were sensible of this, and acted accordingly. The present Ministry are so far from being sensible of it, or caring about it, that they seem to me to be throwing the last dice for the destruction of their country.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, June 27th, 1783.

Sir,

A few vessels have arrived in England from various parts of America, and have probably made the Ministry, merchants, and manufacturers less anxious about a present arrangement of commerce. Whether these vessels have rashly hazarded these voyages against the laws of their country, or whether they have permission from Congress, or their States, we are not informed.

It would have been better, no doubt, to have had an agreement made before the trade was opened, but the eagerness of both sides may not easily be restrained. Whether it is practicable for Congress to stop the trade, I know not, or whether it would be expedient if practicable, I doubt.

The balance of parties in England is so nicely poised that the smallest weight shifts the scales. In truth nothing can be done without changing the Ministry, for whatever is done raises a cry sufficient to shake those who do it. In this situation, it is a question whether it is best to keep things in suspense, or bring them to a decision. If Congress were to prohibit all trade with England, until a treaty of commerce were made, or some temporary convention at least, it might bring on a decision, by exciting a cry against the Ministry for not making a convention. But the moment a convention is made, a cry will be raised against them for making it. The present Ministry, to judge by their motions hitherto, will hazard the clamor for not making one, rather than that for making one. They think it least dangerous to them, especially since they have seen so many American vessels arrive in England, and have heard that British ships are admitted to an entry in the ports of America, particularly Philadelphia.

The most difficult thing to adjust in a treaty of commerce will be the communications we shall have with the West India Islands. This is of great importance to us, and to the islands, and I think to Great Britain too. Yet there is a formidable party for excluding us at least from carrying the produce of those islands to Great Britain.

Much will depend upon the Minister you first send to London. An American Minister would be a formidable person to any British Minister whatever. He would converse with all parties, and if he is a prudent, cautious man, he would at this moment have more influence there than you can imagine.

We are chained here on the only spot in the world where we can be of no use. If my colleagues were of my mind, we would all go together to London, where we could negotiate the definitive treaty, and talk of arrangements of commerce to some purpose. However, one Minister in London, with proper instructions, would do better than four. He would have the artifices of French emissaries to counteract, as well as English partizans; for you may depend upon it, the French see with pleasure the improbability of our coming soon and cordially together, as they saw with manifest regret the appearances of cordial reconciliation under the former Administration. These sentiments are not unnatural, but we are under no obligation, from mere complaisance, to sacrifice interests of such deep and lasting consequence. For it is not merely mercantile profit and convenience that is at stake; future wars, long and bloody wars, may be either avoided or entailed upon our posterity, as we conduct wisely or otherwise the present negotiation with Great Britain.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, July 3d, 1783.

Sir,

On the last Ambassador's day, which was last Tuesday, Dr. Franklin, Mr. Jay, and myself, waited on the Count de Vergennes, who told us he thought he had agreed with the Duke of Manchester, but that his Grace had not yet received the positive approbation of his Court. The Count advised us to make a visit altogether to the Ambassadors of the two Imperial Courts. Accordingly, yester-

day morning we went, first to the Count de Mercy Argenteau, the Ambassador of the Emperor of Germany, and King of Hungary and Bohemia. His Excellency was not at home, so we left our card.

We went next to the Prince Bariatinski, Minister Plenipotentiary from the Court of Russia; our servant asked if the Prince was at home, and received for answer, that he was. We were shown into the Prince's apartment, who received us very politely. While we were here, Mr. Markoff came in. He also is a Minister Plenipotentiary, adjoined to the Prince in the affair of the mediation. I told him we proposed to do ourselves the honor of calling on him. He answered, "As you are an old acquaintance, I shall be very happy to see you." Whether this was a turn of politeness, or whether it was a political distinction, I know not. We shall soon know, by his returning, or not returning, our visit. The Prince asked where I lodged, and I told him. This indicates an intention to return the visit.

We went next to the Dutch Ambassador's, M. de Berkenrode. He was not at home, or not visible. Next to the Baron de Blome, Envoy Extraordinary of the King of Denmark; not at home. Next to M. Markoff's. The porter answered, that he was at home. We alighted, and were going to his apartment, when we were told he was not come in. We left a card, and went to the other Dutch Ambassador's, M. Brantzen, who was not at home; *en passant*, we left a card at the Swedish Minister's, and returned home, the heat being too excessive to pursue our visits any further.

Thus, we have made visits to all the Ministers who are to be present at the signature of the definitive treaty. Whether the Ministers of the Imperial Courts will be present, I know not. There are many appearances of a coldness between France and Russia; and the Emperor seems to waver between two opinions, whether to join in the war that threatens, or not. Perhaps the Ministers of the Imperial Courts will write for instructions whether to return or not our visit.

After I had begun this letter, Captain Barney came in, and delivered me your duplicate of No. 12, November the 6th, 1782; duplicate of No. 14, December the 19th, 1782, and triplicate of No. 16, April the 14th, 1783, and the original of your letter of the 18th of April, 1783, not numbered. The last contained my account. But as I have never received any of this money from Dr. Franklin,

or M. Gerard, but have my salary from Messrs. Willinks & Co., at Amsterdam, I am extremely sorry you have had so much trouble with this affair.

Although in your later letters you say nothing of my resignation, or the acceptance of it, I expect to receive it soon, and then I shall have an opportunity to settle the affair of my salary at Philadelphia.

After reading your letters to me, I went out to Passy to see those addressed to us all. Dr. Franklin, Mr. Jay, and myself, (Mr. Laurens being still in England,) read them all over together. We shall do all in our power to procure the advantages in the definitive treaty you mention. The state of parties is such in England, that it is impossible to foresee when there will be a Ministry who will dare to take any step at all. The coalition between Lord North and his connexions, and Mr. Fox and his, is a rope of sand. Mr. Fox, by pushing the vote in the House of Commons disapproving the peace, and by joining so many of the old Ministers in the new Administration, has justly excited so many jealousies of his sincerity, that no confidence can be placed in him by us. I am extremely sorry that the most amiable men in the nation, Portland and the Cavendishes, should have involved themselves in the same reproach.

In short, at present, Shelburne, Pitt, Townshend, and the Administration of which they were members, seem to have been the only ones who, for a moment, had just notions of their country and ours. Whether these men, if now called to power, would pursue their former ideas, I know not. The Bible teaches us not to put our trust in Princes, and *à fortiori* in Ministers of State.

The West India commerce now gives us most anxiety. If the former British Ministry had stood, we might have secured it from England, and, in that case, France would have been obliged to admit us to their islands, *se defendendo*. The first maxim of a statesman, as well as that of a statuary, or a painter, should be to study nature; to cast his eyes round about his country, and see what advantages nature has given it. This was well attended to, in the boundary between the United States and Canada, and in the fisheries. The commerce of the West India Islands falls necessarily into the natural system of the commerce of the United States. We are necessary to them, and they to us; and there will be a commerce between us. If the Government forbid it, it will be carried on clandestinely. France can more easily connive at a contraband trade than England.

But we ought to wish to avoid the temptation to this. I believe that neither France nor England will allow us to transport the productions of their Islands to other parts of Europe.

The utmost we may hope to obtain would be permission to import the productions of the French Islands into France, giving bond to land them in some port of that Kingdom, and the productions of the English Islands into some port of Great Britain, giving bonds to land them there. It must, however, be the care of the Minister, who may have to negotiate a treaty of commerce with Great Britain, to obtain as ample freedom in this trade as possible.

While I was writing the above, my servant announced the Imperial Ambassador, whom I rose to receive. He said that he was happy that the circumstances of the times afforded him an opportunity of forming an acquaintance with me, which he hoped would be improved into a more intimate one. I said his Excellency did me great honor, and begged him to sit, which he did, and fell into a conversation of an hour. We ran over a variety of subjects, particularly the commerce which might take place between the United States and Germany, by the way of Trieste and Fiume, and the Austrian Netherlands, and the great disposition in Germany to migration to America. He says he knows the country round about Trieste very well, having an estate there; that it is a very extensive and a very rich country, which communicates with that maritime city, and that the navigation of the Adriatic sea, though long, is not dangerous. I asked him what we should do with the Barbary Powers. He said he thought all the Powers of the world ought to unite in the suppression of such a detestable race of pirates, and that the Emperor had lately made an insinuation to the Porte upon the subject. I asked him if he thought France and England would agree to such a project, observing that I had heard that some Englishmen had said, "if there were no Algiers, England ought to build one." He said he could not answer for England.

It is unnecessary to repeat any more of the conversation, which turned upon the frugal and industrious character of the Germans, the best cultivators in Europe, and the dishonorable traffic of some of the German princes in men, a subject he introduced and enlarged on himself. I said nothing about it. Rising up to take leave, he repeated several compliments he had made when he first came in, and added: "The Count de Vergennes will do me the honor to

dine with me one of these days, and I hope to have that of your company. We will then speak of an affair upon which the Count de Vergennes and you have already conversed."

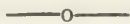
This shows there is something in agitation, but what it is I cannot conjecture; whether it is to induce us to make the compliment to the two imperial Courts to sign the definitive treaty as mediators; whether there is any project of an association for the liberty of navigation, or whether it is any other thing, I cannot guess at present, but I will write you as soon as I know. Whatever it is we must treat it with respect, but we shall be very careful how we engage our country in measures of consequence without being clear of our powers, and without the instructions of Congress.

I went out to Passy, and found from Mr. Jay that he had made his visit there in the course of the day, but had said nothing to Dr. Franklin or him about the dinner with the Count de Vergennes. In the course of the day I had visits from the Prince Bariatinski and M. de Markoff, the two Ministers of the Empress of Russia. The porter told these gentlemen's servants that I was at home, but they did not come up—but only sent up their cards.

While I was gone to Passy, Monsieur de Blome, Envoy Extraordinary from the King of Denmark, called and left his card. Thus the point of etiquette seems to be settled, and we are to be treated in character by all the Powers of Europe.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT MORRIS.

Paris, July 5th, 1783.

Sir,

Your favors of the 12th and 29th of May were delivered to me on the 3d of this month by Captain Barney. Every assistance in my power shall be given to Mr. Barclay. Mr. Grand will write you the amount of all the bills which have been paid in Holland which were accepted by me. You may banish your fears of a double payment of any one bill. I never accepted a bill without taking down in writing a very particular description of it, nor without examining the book to see whether it had been accepted before. I sent regularly, in the time of it, copies of these acceptances to Dr.

Franklin, and I have now asked him to lend them to me, that I may copy them and send them to you. The Doctor has promised to look up my letters and let me have them. The originals are at the Hague, with multitudes of other papers, which I want every day.

Among the many disagreeable circumstances attending my duty in Europe, it is not the least that, instead of being fixed to any one station, I have been perpetually danced about from "post to pillar," unable to have my books and papers with me, unable to have about me the conveniences of a house-keeper for health, pleasure, or business, but yet subjected in many articles to double expenses.

Mr. Livingston has not informed me of any determination of Congress upon my letter to you of the 17th of November, which distresses me much on Mr. Thaxter's account, who certainly merits more than he has received, or can receive, without the favor of Congress.

I thank you, sir, most affectionately for your kind congratulation on the peace. Our late enemies always clamor against a peace, but this one is better for them than they had reason to expect after so mad a war. Our countrymen, too, I suppose, are not quite satisfied. This thing and that thing should have been otherwise, no doubt. If any man blames us, I wish him no other punishment than to have, if that were possible, just such another peace to negotiate, exactly in our situation. I cannot look back upon this event without the most affecting sentiments, when I consider the number of nations concerned, the complications of interests extending all over the globe, the characters of actors, the difficulties which attended every step of the progress, how every thing labored in England, France, Spain, and Holland; that the armament at Cadiz was upon the point of sailing, which would have rendered another campaign inevitable; that another campaign would have probably involved France in a continental war, as the Emperor would, in that case, have joined Russia against the Porte; that the British Ministry was then in so critical a situation that its duration for a week or a day depended upon its making peace; that if that Ministry had been changed, it could have been succeeded only either by North and Company, or by the Coalition; that it is certain that neither North and Company, nor the Coalition, would have made peace upon any terms that either we or the other Powers would have agreed to; and that all

these difficulties were dissipated by one decided step of the British and American Ministers. I feel too strongly a gratitude to Heaven for having been conducted safely through the storm, to be very solicitous whether we have the approbation of mortals or not.

A delay of one day might, and probably would, have changed the Ministry in England, in which case all would have been lost. If, after we had agreed with Mr. Oswald, we had gone to Versailles to show the result to the Count de Vergennes, you would have been this moment at war; and God knows how or when you would have got out. What would have been the course? The Count de Vergennes would have sprinkled us with compliments, the holy water of a Court. He would have told us: "You have done, gentlemen, very well for your country. You have gained a great deal. I congratulate you upon it, but you must not sign till we are ready; we must sign altogether here in this room." What would have been our situation? We must have signed against this advice, as Mr. Laurens says he would have done, and as I believe Mr. Jay and I should have done, which would have been the most marked affront that could have been offered; or we must have waited for France and Spain, which would have changed the Ministry in England, and lost the whole peace as certainly as there is a world in being. When a few frail vessels are navigating among innumerable mountains of ice, driven by various winds, and drawn by various currents, and a narrow crevice appears to one by which all may escape, if that one improves the moment, and sets the example, it will not do to stand upon ceremonies and ask which shall go first, or that all may go together.

I hope you will excuse this little excursion, and believe me to be, with great respect and esteem, your most obedient and most humble servant,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, July 7th, 1783.

Sir,

We cannot as yet obtain from Mr. Hartley, or his principals, an explicit consent to any one proposition whatever. Yet England and France, and England and Spain, are probably agreed, and Holland, I

suppose, must comply. Our last resource must be to say, we are ready to sign the provisional treaty, *totidem verbis*, as the definitive treaty.

I think it is plain that the British Ministry do not intend to sign any treaty till Parliament rises. There are such dissensions in the Cabinet, that they apprehend a treaty laid before Parliament, if it did not obtain advantages, of which they have no hope, would furnish materials to overthrow them. A new Administration is talked of, under Lord Temple. The West India commerce is now the object that interests us the most nearly. At dinner with the Duc de la Vauguyon, on Saturday last, he told me that he believed the commerce between the French West India Islands and the United States would be confined to ships built in France, and navigated by French seamen.

“So then, M. le Duc,” said I, laughing, “you have adopted the ideas of the British navigation act. But suppose the United States should adopt them too, and make a law, that no commerce should be carried on with any West India Islands, French, English, Spanish, Dutch, or Danish, but in ships built in America, and navigated with American seamen? We can import sugar from Europe. But give me leave to tell you, that this trade can never be carried on without a great number of seamen, which the French vessels being all large require, and your navigators are too slow. The trade itself was only profitable to us as a system, and little vessels, with a few hands, run away at any season of the year, from any creek or river with a multitude of little articles, collected in haste. Your merchants and mariners have neither the patience to content themselves with much and long labor, and dangerous voyages for small profits, nor have they the economy, nor can they navigate vessels with so few hands.” “Aye, but we think,” said the Duke, “if we do not try, we shall never learn to do these things as well and as cheap as you.” The Duke told me, some days before, that he had had a great deal of conversation with the Count de Vergennes, and he found he had a great many good ideas of commerce. The Count himself told me a few weeks ago, “in our regulations of the commerce between our Islands and you, we must have regard to our shipping, and our nurseries of seamen for our marine; for,” said he, smiling politely enough, “without a marine, we cannot go to your succor.”

In short, France begins to grow, for a moment, avaricious of

navigation and seamen. But it is certain, that neither the form of government, nor the national character, can possibly admit of great success in it. Navigation is so dangerous a business, and requires so much patience, and produces so little profit among nations who understand it best, and have the best advantages for it, where property is most secure, lawsuits soonest and cheapest ended, (and by fixed certain laws,) that the French can never interfere much with the Dutch or Americans in ship-building or carrying trade. If any French merchants ever begin to carry on this commerce between America and the Islands, they will break to pieces very soon, and then some new plan must be adopted. The English, for aught I know, will make a similar law, that the communications between us and their Islands shall be carried on in British built ships, or ships built in Canada or Nova Scotia, and navigated by British seamen. In this case, we must try what we can do with the Dutch and Danes. But the French and English will endeavor to persuade them to the same policy, for the Duc de la Vauguyon told me that he thought it a common tie, (*lien commun.*) In this they will not succeed, and we must make the most we can of the Dutch friendship, for luckily, the merchants and Regency of Amsterdam had too much wit to exclude us from their Islands by the treaty. Happily, Congress will have a Dutch Minister, with whom they may consult upon this matter, as well as any others, but I should think it would not be convenient to invite an English or French Minister to be present at the consultation.

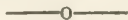
I am at a loss, sir, to guess what propositions made to us Congress have been informed of, which they had not learned from us. None have been made to us. The Dutch Ambassadors did once propose a meeting to us, and had it at my house. Dr. Franklin came, but Mr. Jay did not, and Mr. Laurens was absent. The Ambassadors desired to know whether we had power to enter into any engagements, provided France, Spain, and Holland should agree to any, in support of the armed neutrality. We showed them the resolution of Congress of the 5th of October, 1780, and told them that Mr. Dana had been since vested with a particular commission to the same effect. We never heard any thing further about it.

Not seeing, at the time, any probability that any thing would come of this, nor intending to do any thing of any consequence in it, if we should hear further of it, without the further orders of Congress, we

did not think it necessary to write any thing about it, at least, till it should put on a more serious appearance. If the Count de Mercy's dinner, to which we are to be invited, with the Count de Vergennes, should produce any insinuations on this subject, (which I do not, however, expect,) we shall inform you, and request the orders of Congress.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT B. LIVINGSTON.

Paris, July 9th, 1783.

Sir,

Since the dangerous fever I had in Amsterdam, two years ago, I have never enjoyed my health. Through the whole of the last winter and spring, I have suffered under weaknesses and pains, which have scarcely permitted me to do business. The excessive heats of the last week or two have brought on me a fever again, which exhausts me in such a manner as to be very discouraging, and incapacitates one for everything. In short, nothing but a return to America will ever restore my health, if even that should do it.

In these circumstances, however, we have negociations to go through, and your despatches to answer. The liberal sentiments in England respecting the trade are all lost for the present, and we can get no answer to anything. It is the same thing with the Dutch. One of the Dutch Ambassadors told me yesterday at Versailles, that now, for five weeks, the English had never said one word to them, nor given them any answer. These things indicate that the Ministry do not think themselves permanent.

The Count de Vergennes asked Dr. Franklin and me, yesterday, if we had made our visits. We answered that we had, and that they had been promptly returned. "The thing in agitation," says the Count, "is for you to determine whether your definitive treaty shall be signed under the mediation of the two Imperial Courts, or not. Ours and the Spanish treaty with England are to be so finished, and if you determine in favor of it, you have only to write a letter to the Ministers of the Imperial Courts who are here." I told him, in the present case, I did not know what a mediation meant. He smiled, but did not seem to know any better than I; at least, he did not explain it. We told him we would determine upon it soon.

How we shall determine, I cannot say. For my own part, I see no harm in accepting the mediation, nor any other good than a compliment to the two Empires. In Europe, it may be thought an honor to us, and, therefore, I shall give my voice, as at present informed, in favor of it, as it seems rather to be the inclination of the Count de Vergennes that we should.

Your late despatches, sir, are not well adapted to give spirits to a melancholy man, or to cure one sick with a fever. It is not possible for me, at present, to enter into a long detail in answer to them. You will be answered, I suppose, by all the gentlemen jointly. In the meantime, I beg leave to say to you a few words upon two points.

1st. The separate article never appeared to me of any consequence to conceal from this Court. It was an agreement we had a right to make; it contained no injury to France or Spain. Indeed, I know not what France has, or ever had, to do with it. If it had been communicated to this Court, it would probably have been communicated to Spain, and she might have thought more about it than it was worth. But how you could conceive it possible for us to treat at all with the English, upon supposition that we had communicated every, the minutest thing, to this Court, when this Court were neither obliged, nor thought proper, to communicate anything whatever to us, I know not. We were bound by treaty no more than they to communicate. The instructions were found to be absolutely impracticable. That they were too suddenly published, is very true.

2dly. A communication of the treaty to this Court, after it was agreed upon, and before it was signed, would have infallibly prevented the whole peace. In the first place, it was very doubtful, or rather, on the contrary, it is certain, the English Minister never would have consented that we should have communicated it. We might, it is true, have done it without his consent or knowledge; but what would have been the consequence? The French Minister would have said, the terms were very good for us, but we must not sign till they signed; and this would have been the continuance of the war for another year, at least. It was not so much from an apprehension that the French would have exerted themselves to get away from us terms that were agreed on, that they were withheld. It was then too late, and we have reasons to apprehend that all of this kind had been done which could be done. We knew they were often insinuating to the British Ministers things against us respecting

the fisheries, Tories, &c., during the negociation, and Mr. Fitzherbert told me that the Count de Vergennes had "fifty times reproached him for ceding the fisheries, and said it was ruining the English and French commerce both." It was not suspicion, it was certain knowledge, that they were against us on the points of the Tories, fisheries, Mississippi, and the western country.

All this knowledge, however, did not influence us to conceal the treaty. We did not, in fact, conceal it. Dr. Franklin communicated the substance of it to the Count and M. de Rayneval. So did I. In a long conversation with the Count and M. de Rayneval together, I told them the substance of what was agreed upon, and what we further insisted on, and the English then disputed. But the signing before them is the point. This we could not have done, if we had shown the treaty, and told them we were ready. The Count would certainly have said to us, you must not sign till we sign. To have signed after this would have been more disagreeable to him, and to us too. Yet we must have signed, or lost the peace. The peace depended on a day.

Parliament had been waiting long, and once prorogued. The Minister was so pressed, he could not have met Parliament and kept his place, without an agreement upon terms, at least, with America. If we had not signed, the Ministry would have been changed, and the coalition come in, and the whole world knows the coalition would not have made peace upon the present terms, and, consequently, not at all this year. The iron was struck in the few critical moments when it was of a proper heat, and has been moulded into a handsome vessel. If it had been suffered to cool, it would have flown in pieces like glass. Our countrymen have great reason to rejoice that they have obtained so good a peace, when, and as they did. With the present threatening appearances of a northern war, which will draw in France, if our peace was still to be made we might find cause to tremble for many great advantages that are now secured. I believe the Count himself, if he were now to speak his real sentiments, would say he was very glad we signed when we did, and that without asking his consent.

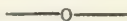
The Duc de la Vauguyon told me and M. Brantzen together, last Saturday, "if you had not signed when you did, we should not have signed when we did." If they had not signed when they did d'Estaing would have sailed from Cadiz, and in that case nobody

would have signed to this day. It is not possible for men to be in more disagreeable circumstances than we were. We are none of us men of principles or dispositions to take pleasure in going against your sentiments, sir, much less those of Congress. But in this case, if we had not done it, our country would have lost advantages beyond computation.

On Monday, sir, we pursued our visits, and to-day we finish. Yesterday at Court all the foreign Ministers behaved to us without reserve, as members of the *Corps Diplomatique*, so that we shall no longer see those lowering countenances, solemn looks, distant bows, and other peculiarities, which have been sometimes diverting and sometimes provoking, for so many years.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, July 10th, 1783.

Sir,

In the present violent heat of the weather, and feverish state of my health, I cannot pretend to sit long at my pen, and must pray you to accept of a few short hints only.

To talk in a general style of confidence in the French Court, &c., is to use a general language, which may mean almost any thing or almost nothing. To a certain degree, and as far as the treaties and engagements extend, I have as much confidence in the French Court as Congress has, or even as you, sir, appear to have. But if by confidence in the French Court is meant an opinion that the French Office of Foreign Affairs would be advocates with the English for our rights to the fisheries, or to the Mississippi river, or our western territory, or advocates to persuade the British Ministers to give up the cause of the refugees and make parliamentary provision for them, I own I have no such confidence, and never had. Seeing and hearing what I have seen and heard, I must have been an idiot to have entertained such confidence; I should be more of a Machiavelian or a Jesuit than I ever was, or will be, to counterfeit it to you or to Congress.

M. Marbois's letter is to me full proof of the principles of the Count de Vergennes. Why? Because I know (for it was personally

communicated to me upon my passage home by M. Marbois himself) the intimacy and confidence there is between these two. And I know further that letter contains sentiments concerning the fisheries diametrically opposite to those which Marbois repeatedly expressed to me upon the passage, viz: "That the Newfoundland fishery was our right, and we ought to maintain it." From whence I conclude M. Marbois's sentiments have been changed by the instructions of the Minister. To what purpose is it where this letter came from? Is it less genuine whether it came from Philadelphia, Versailles, or London? What if it came through English hands? Is there less weight, less evidence in it for that? Are the sentiments more just or more friendly to us for that?

M. de Rayneval's correspondence, too, with Mr. Jay. M. de Rayneval is a *Chef de Bureau*. But we must be very ignorant of all Courts not to know that an under Secretary of State dares not carry on such a correspondence without the knowledge, consent, and orders of the principal.

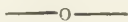
There is another point now in agitation in which the French will never give us one good word. On the contrary, they will say every thing they can think of to persuade the English to deprive us of the trade of their West India Islands. They have already, with their emissaries, been the chief cause of the change of sentiment in London on this head against us. In general they see with pain every appearance of returning real and cordial friendship, such as may be permanent between us and Great Britain. On the contrary, they see with pleasure every seed of contention between us. The Tories are an excellent engine of mischief between us, and are, therefore, very precious.

Exclusion from the West India Islands will be another. I hold it to be the indispensable duty of my station not to conceal from Congress these truths. Do not let us be dupes, under the idea of being grateful. Innumerable anecdotes happen daily to show that these sentiments are general. In conversation, a few weeks ago, with the Duc de la Vauguyon, upon the subject of the West India trade, I endeavored to convince him that France and England both ought to admit us freely to their islands. He entered into a long argument to prove that both ought to exclude us. At last I said the English were a parcel of sots to exclude us, for the consequence would be that in fifteen or twenty years we should have another war

with them. "*Tant mieux! tant mieux! je vous en félicité,*" cried the Duke, with great pleasure. "*Tant mieux pour nous,*" said I, "because we shall conquer from the English, in that case, all their islands, the inhabitants of which would now declare for us if they dared. But it will not be the best for the English. They will be the dupes, if they lay a foundation for it." "Yes," said the Duke, "I believe you will have another war with the English." And in this wish he expressed the vows of every Frenchman upon the face of the earth. If, therefore, we have it in contemplation to avoid a future war with the English, do not let us have too much confidence in the French that they will favor us in this view.*

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT MORRIS.

Paris, July 10th, 1783.

Sir,

Upon the receipt of the despatches by Barney I sent off your letters for Messrs. Willinks & Co., and I received last night an answer to the letter I wrote them upon the occasion. They have engaged to remit Mr. Grand a million and a half of livres in a month, which has relieved Mr. Grand from his anxiety.

This Court has refused to Dr. Franklin any more money. They are apprehensive of being obliged to take a part in the northern war, and their own financiers have not enough of the confidence of the public to obtain money for their own purposes.

Your design of sending cargoes of tobacco and other things to Amsterdam, to Messrs. Willinks & Co., is the best possible to support our credit there. The more you send the more money will be obtained. Send a Minister, too; residing there he may promote it much. It is a misfortune that I have not been able to be there, but this post cannot be deserted. Instruct your Minister to inquire whether the house of Hope could be persuaded to engage with Willinks in a new loan. This should be done with secrecy and discretion. If that house would undertake it, you would find money

* See a letter from Dr. Franklin containing remarks on Mr. Adams's opinions of the policy and designs of the French Court, dated July the 22d, 1783; Franklin's Correspondence, Vol. II., p. 464; also a letter from Mr. Laurens, Vol. I., p. 733.

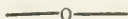
enough for your purpose, for I rely upon it the States will adopt a plan immediately for the effectual payment of interest. This is indispensable. The foundation of a happy Government can only be laid in justice ; and as soon as the public shall see that provision is made for this, you will no longer want money.

It is a maxim among merchants and moneyed men, that "every man has credit who does not want it." It is equally true of States. We shall want it but little longer, if the States make provision for the payment of interest, and therefore we shall have enough of it. There is not a country in the world whose credit ought to be so good, because there is none equally able to pay.

Enclosed is a pamphlet of Dr. Price's, for your comfort. You will see by it that the only nation we have reason to fear wants credit so much, that she is not likely to have it always, and this is our security. By some hints from Mr. Hartley he will probably return to London, and not be here again. The present Ministry is so undecided and feeble, that it is at least doubtful whether they will make the definitive treaty of peace.

With great respect, &c.,

JOHN ADAMS.



TO ROBERT MORRIS.

Paris, July 11th, 1783.

Sir,

In my letter to you of yesterday, I hinted, in confidence, at an application to the house of Hope. This is a very delicate measure. I was induced to think of it merely by a conversation which M. Van Berckel (who will soon be with you, as he sailed the 26th of June from the Texel) had with M. Dumas. It would be better to be steady to the three Houses already employed, if that is possible. You will now be able to converse freely with that Minister upon the subject. I should not advise you to take any decisive resolution at Philadelphia, but leave it to your Minister to act as shall appear to him best upon the spot. The Houses now employed are well esteemed, and I hope will do very well. But no House in the Republic has the force of that of Hope.

All depends, however, upon the measures to be taken by Congress and the States for ascertaining their debts, and a regular discharge of the interest. The ability of the people to make such an estab-

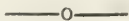
lishment cannot be doubted; and the inclination of no man who has a proper sense of public honor can be called in question. The Thirteen States, in relation to the discharge of the debts of Congress, must consider themselves as one body animated by one soul. The stability of our confederation at home, our reputation abroad, our power of defence, the confidence and affection of the people of one State towards those of another, all depend upon it. Without a sacred regard to public justice no society can exist; it is the only tie which can unite men's minds and hearts in pursuit of the common interest.

The commerce of the world is now open to us, and our exports and imports are of so large amount, and our connexions will be so large and extensive that the least stain upon our character in this respect will lose us in a very short time advantages of greater pecuniary value than all our debt amounts to. The moral character of our people is of infinitely greater worth than all the sums in question. Every hesitation, every uncertainty about paying or receiving a just debt, diminishes that sense of moral obligation of public justice, which ought to be kept pure, and carefully cultivated in every American mind. Creditors at home and abroad, the army, the navy, every man who has a well-founded claim upon the public, have an unalienable right to be satisfied, and this by the fundamental principles of society. Can there ever be content and satisfaction? Can there ever be peace and order? Can there ever be industry or decency without it? To talk of a sponge to wipe out this debt, or of reducing or diminishing it below its real value, in a country so abundantly able to pay the last farthing, would betray a total ignorance of the first principles of national duty and interest.

Let us leave these odious speculations to countries that can plead a necessity for them, and where corruption has arrived at its last stages; where infamy is scarcely felt, and wrong may as well assume one shape as another, since it must prevail in some.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, July 11th, 1783.

Sir,

As there are certain particulars in which it has appeared to me

that the friendship of a French Minister has been problematical, at least, or rather, not to exist at all, I have freely mentioned them to Congress; because I hold it to be the first duty of a public Minister, in my situation, to conceal no important truth of this kind from his masters.

But ingratitude is an odious vice, and ought to be held in detestation by every American citizen. We ought to distinguish, therefore, between those points for which we are not obliged to our allies, from those in which we are.

I think, then, we are under no particular obligations of gratitude to them for the fisheries, the boundaries, exemption from the Tories, or for the progress of our negotiations in Europe.

We are under obligations of gratitude for making the treaty with us when they did; for those sums of money, which they have generously given us, and for those, even, which they have lent us, which I hope we shall punctually pay, and be thankful still for the loan; for the fleet and army they sent to America, and for all the important services they did. By other mutual exertions, a dangerous rival to them, and I may be almost warranted in saying an imperious master, both to them and us, has been brought to reason, and put out of the power to do harm to either. In this respect, however, our allies are more secure than we. The House of Bourbon has acquired a great accession of strength, while their hereditary enemy has been weakened one half, and incurably crippled.

The French are, besides, a good natured and humane nation, very respectable in arts, letters, arms, and commerce, and, therefore, motives of interest, honor, and convenience, join themselves to those of friendship and gratitude, to induce us to wish for the continuance of their friendship and alliance. The Provinces of Canada and Nova Scotia in the hands of the English are a constant warning to us to have a care of ourselves, and, therefore, a continuance of the friendship and alliance of France is of importance to our tranquillity, and even to our safety. There is nothing which will have a greater effect to overawe the English, and induce them to respect us and our rights, than the reputation of a good understanding with the French. My voice and advice will, therefore, always be for discharging with the utmost fidelity, gratitude, and exactness, every obligation we are under to France, and for cultivating her friendship and alliance by all sorts of good offices. But I am sure that to do this effectually,

we must reason with them at times, enter into particulars, and be sure that we understand one another. We must act a manly, honest, independent, as well as a sensible part.

With great respect, I have the honor to be, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, July 12th, 1783.

Sir,

Reports have been spread that the Regency of Algiers has been employed in fitting out ships to cruise for American vessels. There are reports, too, that Spain has an armament prepared to attack their town. How much truth there may be in either, I cannot pretend to say.

Whether Congress will take any measures for treating with these piratical States, must be submitted to them. The custom of these Courts, as well as those of Asia and Africa, is to receive presents with Ambassadors. The Grand Pensionary of Holland told me that the Republic paid annually to the Regency of Algiers a hundred thousand dollars. I hope a less sum would serve for us; but in the present state of our finances, it would be difficult to make any payment. Mr. Montgomery, of Alicant, has ventured to write a letter to the Emperor of Morocco, in consequence of which, his Majesty was pleased to give orders to all his vessels to treat American vessels with all friendship. Mr. Montgomery ventured too far, however, in writing in the name of the United States, and what will be the consequences of the deception I know not.

Dr. Franklin lately mentioned to Mr. Jay and me that he was employed in preparing, with the Portuguese Ambassador, a treaty between the United States and Portugal. The next Ambassador's day at Versailles, I asked him if we could be admitted to the Brazils? He said no, they admitted no nation to the Brazils. I asked if we were admitted to the Western Islands? He said he thought Madeira was mentioned. I told him I thought it would be of much importance to us to secure an admission to all the Azores, and to have these Islands, or some of them, made a depot for the sugars, coffee, cotton, and cocoa, &c., of the Brazils. He liked this idea, and went immediately and spoke to the Ambassador about it. He said the Ambassador had told him that they could furnish us with these

articles at Lisbon fifteen per cent. cheaper than the English could from their West India Islands.

This treaty, I suppose, will be submitted to Congress before it is signed, and I hope Congress will give a close attention to it, in order to procure an exemption from as many duties as possible, and as much freedom and security of trade in all their ports of Europe and the Western Islands as possible. If any particular stipulations should be necessary concerning the free admission of all the articles of our produce as rice, wheat, flour, salt-fish, or any other, the members of Congress may readily suggest them.

I could wish that the Court of Lisbon had sent a Minister to Philadelphia to negotiate a treaty there. I wish that advantages may not be lost by this method of preparing treaties here by Ministers who have made no particular study of the objects of them.* Benefits on both sides may escape attention in this way. A good treaty with Portugal is of so much consequence to us, that I should not wonder if Congress should think it necessary to send a Minister to Lisbon to complete it.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, July 13th, 1783.

Sir,

Yesterday Colonel Ogden arrived with the originals of what we had before received in duplicates by Captain Barney. The ratification of the Dutch treaty had been before received and exchanged. The ratification of their High Mightinesses is in the safe custody of M. Dumas, at present at the Hague.

I believe we shall accept of the mediation of the two Imperial Courts at the definitive treaty, as it is a mere formality, a mere compliment, consisting wholly in the Imperial Ministers putting their names and seals to the parchment, and can have no ill effect. The inclination of the Count de Vergennes seems to be that we should accept it, and as he calls upon us to decide in the affirmative or negative, I believe we shall give an answer in the affirmative.

* See the draft of a treaty with Portugal in Franklin's Correspondence, Vol. II, p. 472.

The Empress has promised to receive Mr. Dana as soon as the definitive treaty shall be signed, and he has prepared a treaty of commerce, which will be valuable if he can obtain it.

The Emperor of Germany has caused to be intimated several ways his inclination to have a treaty of commerce with us; but his rank is so high that his House never makes the first formal advance. I should think it advisable that we should have a treaty with that Power for several reasons.

1st. Because, as Emperor of Germany and King of Bohemia and Hungary, he is at the head of one of the greatest interests and most powerful connexions in Europe. It is true it is the greatest weight in the scale, which is, and has been, from age to age, opposite to the House of Bourbon. But for this very reason, if there were no other, the United States ought to have a treaty of commerce with it, in order to be in practice with their theory, and to show to all the world that their system of commerce embraces, equally and impartially, all the commercial States and countries of Europe.

2dly. Because the present Emperor is one of the greatest men of this age. The wisdom and virtue of the man, as well as of the monarch; his personal activity, intelligence, and accomplishments; his large and liberal principles in matters of religion, government, and commerce, are so much of kin to those of our States, (perhaps, indeed, so much borrowed from them, and adopted in imitation of them,) that it seems peculiarly proper we should show this respect to them.

3dly. Because, that if England should ever forget herself again so much as to attack us, she may not be so likely to obtain the alliance or assistance of this Power against us. A friendship once established in a treaty of commerce, this Power would never be likely to violate, because she has no dominions near us, and could have no interest to quarrel with us.

4thly. Because the countries belonging to this Power upon the Adriatic sea, and in the Austrian Flanders, are no inconsiderable sources of commerce for America. And if the present negotiations between the two Imperial Courts and the Porte shall terminate in a free navigation of the Danube, the Black Sea, and the Archipelago, the Emperor's hereditary dominions will become very respectable commercial countries.

5thly. Because, although we have at present a pleasant and joyful

prospect of friendship and uninterrupted alliance with the House of Bourbon, which I wish may never be obscured, yet this friendship and alliance will be the more likely to continue unimpaired, for our having the friendship and commerce of the House of Austria. And (as in the vicissitudes of human affairs all things are possible) if in future times, however unlikely at present, the House of Bourbon should deal unjustly by us, demand of us things we are not bound to perform, or any way injure us, we may find in the alliance of Austria, England, and Holland, a resource against the storm. Supernumerary strings to our bow, and provisions against possible inconveniences, however improbable, can do us no harm.

If we were not straitened for money, I should advise Congress to send a Minister to Vienna. But as every mission abroad is a costly article, and we find it difficult, at present, to procure money for the most necessary purposes, I should think it proper for Congress to send a commission to their Minister at Versailles, London, Madrid, Petersburg, or the Hague, who might communicate it to the Court of Vienna, by means of the Imperial Ambassador. The Emperor in such a case would authorize his Ambassador at that Court to prepare and conclude a treaty, and in this way the business may be well done, without any additional expense.

M. Favi, *Chargé d'Affaires* of the Grand Duke of Tuscany, the Emperor's brother, has called upon me so often to converse with me upon this subject, that I doubt not he has been employed, or at least knows that it would be agreeable to his Court and their connexions, although he has never made any official insinuations about it. This gentleman has been employed by the Republic of Ragusa to consult American Ministers upon the subject of commerce too. I have told him that the American ports were open to the Ragusan vessels, as well as to all others, and have given him the address by which they propose to write to Congress.

I have the honor to be, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, July 14th, 1783.

Sir,

A jealousy of American ships, seamen, carrying-trade, and naval

power, appears every day more and more conspicuous. This jealousy, which has been all along discovered by the French Minister, is at length communicated to the English. The following proclamation, which will not increase British ships and seamen in any proportion as it will diminish those of the United States, will contribute effectually to make America afraid of England, and attach herself more closely to France. The English are the dupes, and must take the consequences.

This proclamation is issued in full confidence that the United States have no confidence in one another; that they cannot agree to act in a body as one nation; that they cannot agree upon any navigation act, which may be common to the Thirteen States. Our proper remedy would be to confine our exports to American ships, to make a law that no article should be exported from any of the States in British ships, nor in the ships of any nation, which will not allow us reciprocally to import their productions in our ships. I am much afraid there is too good an understanding upon this subject between Versailles and St. James's.

Perhaps it may be proper for Congress to be silent upon this head until New York, Penobscot, &c., are evacuated. But I should think that Congress would never bind themselves by any treaty built upon such principles. They should negotiate, however, without loss of time, by a Minister in London. A few weeks' delay may have unalterable effects.

Proclamation at the Court of St. James, the 2d of July, 1783.

Present, the King's Most Excellent Majesty in Council.

“Whereas, by an act of Parliament, passed this session, entitled ‘An act for preventing certain instruments from being required from ships belonging to the United States of America, and to give his Majesty, for a limited time, certain powers for the better carrying on trade and commerce between the subjects of his Majesty's dominions and the inhabitants of the said United States,’ it is amongst other things enacted, that, during the continuance of the said act, ‘it shall and may be lawful for his Majesty in council, by order or orders to be issued and published from time to time, to give such directions, and to make such regulations with respect to duties, drawbacks, or otherwise, for carrying on the trade and commerce between the

people and territories belonging to the Crown of Great Britain, and the people and territories of the said United States, as to his Majesty in council shall appear most expedient and salutary, any law, usage, or custom to the contrary notwithstanding,' his Majesty doth, therefore, by and with the advice of his Privy Council, hereby order and direct, that pitch, tar, turpentine, hemp and flax, masts, yards, and bowsprits, staves, heading, boards, timber, shingles, and all other species of lumber; horses, neat cattle, sheep, hogs, poultry, and all other species of live stock and live provisions; peas, beans, potatoes, wheat, flour, bread, biscuit, rice, oats, barley, and all other species of grain, being the growth or production of any one of the United States of America, may, until further order, be imported by British subjects in British-built ships, owned by his Majesty's subjects, and navigated according to law, from any port of the United States of America to any of his Majesty's West India Islands; and that rum, sugar, molasses, coffee, cocoa-nuts, ginger, and pimento, may, until further order, be exported by British subjects, in British-built ships, owned by his Majesty's subjects, and navigated according to law, from any of his Majesty's West India Islands, and to any port or place within the said United States, upon payment of the same duties on exportation, and subject to the like rules, regulations, securities, and restrictions, as the same articles by law are, or may be subject and liable to, if exported to any British colony or plantation in America. And the Right Honorable the Lords Commissioners of his Majesty's Treasury, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

“STEPHEN COTTRELL.”

One of the most remarkable things in this proclamation is the omission of salt-fish, an article which the islands want as much as any that is enumerated. This is, no doubt, to encourage their own fishery, and that of Nova Scotia, as well as a blow aimed at ours. There was, in a former proclamation concerning the trade between the United States and Great Britain, an omission of the articles of *potash* and *pearlash*. These omissions discover a *choice love* for New England. France, I am afraid, will exclude fish too, and imitate this proclamation but too closely; if, indeed, this proclamation is not an imitation of their system, adopted, as I believe it is, upon their advice and desire.

These, however, are important efforts. Without saying, writing, or resolving anything suddenly, let us see what remedies or equivalents we can obtain from Holland, Portugal, and Denmark. Let us bind ourselves to nothing, but reserve a right of making navigation acts when we please, if we find them necessary or useful. If we had been defeated of our fisheries, we should have been wormed out of all our carrying-trade too, and should have been a mere society of cultivators, without any but a passive trade. The policy of France has succeeded, and laid, in these proclamations, if persisted in, the sure source of another war between us and Great Britain.

The English nation is not, however, unanimous in this new system, as Congress will see by the enclosed speculation,* which I know to have been written by a confidential friend of my Lord Shelburne—I mean Mr. Benjamin Vaughan. This Minister is very strong in the House of Lords, and Mr. Pitt, in the House of Commons, has attached to him many members in the course of this session. If that set should come in again, we shall have a chance of making an equitable treaty of commerce. To this end a Minister must be ready; and I hope, in mercy to our country, that such an opportunity will not be lost in delays, in compliance to our allies.

I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

Paris, July 14th, 1783.

Sir,

The United States of America have propagated far and wide in Europe the ideas of the liberty of navigation and commerce. The Powers of Europe, however, cannot agree, as yet, in adopting them in their full extent. Each one desires to maintain the exclusive dominion of some particular sea, or river, and yet to enjoy the liberty of navigating all others. Great Britain wishes to preserve the exclusive dominion of the British seas, and, at the same time, to obtain of the Dutch a free navigation of all the seas in the East Indies. France has contended for the free use of the British and American seas; yet she wishes to maintain the Turks in their exclu-

* This paper is missing.

sive dominion of the Black sea, and of the Danube, which flows into it through some of their Provinces, and of the communication between the Black sea and the Archipelago, by the Dardanelles. Russia aims at the free navigation of the Black sea, the Danube, and the passage by the Dardanelles, yet she contends that the nations which border on the Baltic have a right to control the navigation of it. Denmark claims the command of the passage of the Sound, and by the late marine treaty between the neutral Powers, it was agreed that the privateers of all the belligerent Powers should be excluded from the Baltic. France and Spain, too, begin to talk of an exclusive dominion of the Mediterranean, and of excluding the Russian fleet from it; or, at least, France is said to have menaced Russia with a fleet of observation in the Mediterranean, to protect her commerce to the trading sea-port towns of the Levant. But, as England possesses Gibraltar, and the Emperor of Morocco the other side of the Straits, France and Spain cannot command the entrance; so that it will be difficult for them to support their pretensions to any exclusive dominion of the Mediterranean, upon the principle on which the northern Powers claim that of the Baltic, and the Porte the passage of the Dardanelles.

France, at present, enjoys a large share of the trade to the Levant. England has enjoyed a share, too, and wishes, no doubt, to revive it. The Emperor and the Empress, if they succeed in their views of throwing open the Danube, Black sea, and the Archipelago, will take away from France and England a great part of this trade; but it is not likely that England will join with France in any opposition to the Emperor and Empress.

In order to judge of the object which the two Empires have in view, we should look a little into the geography of those countries.

The project of setting at liberty the whole country of ancient Greece, Macedonia, and Illyricum, and erecting independent republics in those famous seats, however splendid it may appear in speculation, is not likely to be seriously entertained by the two Empires, because it is impracticable. The Greeks of this day, although they are said to have imagination and ingenuity, are corrupted in their morals to such a degree as to be a faithless, perfidious race, destitute of courage, as well as of those principles of honor and virtue without which nations can have no confidence in one another, nor be trusted by others.

The project of conquering the Provinces of Albania, Romelia, Wallachia, Moldavia, and Little Tartary, from the Turks, and dividing them between the two Empires, may be more probable; but the Turks, in Asia and Europe together, are very powerful, and, if thoroughly awakened, might make a great resistance; so that it is most probable the two Imperial Courts would be content, if they could obtain, by negociation, or by arms, the free navigation of the Danube, Black sea, and Archipelago. This freedom alone would produce a great revolution in the commerce of Europe. The river Don or Tanais, with its branches, flows through the Ukraine, and a considerable part of the Russian dominions, into the Black sea. The Danube flows very near Trieste, through the Kingdom of Hungary, and then through a Turkish Province into the Black sea. If, therefore, the Black sea and the Danube only were free, a communication would be immediately opened between Russia and Hungary quite to Trieste, to the great advantage of both Empires. But if, at the same time, the passage of the Dardanelles was laid open, all the Levant trade would be opened to the two Empires, and might be carried to Trieste, either by the Danube, or through the Archipelago and the Gulf of Venice. This would be such an accession of wealth, commerce, and naval power to the two Empires, as France is jealous of, and may be drawn into a war to prevent.

It is a question how the King of Prussia will act. It is the general opinion that, as he is advanced in years, loves and enjoys his laurels and his ease, and cannot hope to gain any thing by the war, he will be neuter. If he is, the issue cannot be foreseen. The Emperor is vastly powerful, and his preparations are immense. Perhaps France may not think it prudent to declare war. I should be sorry to see her again involved in a war, especially against the principles she has lately espoused with so much glory and advantage.

For my own part, I think nature wiser than all the Courts and States in the world, and, therefore, I wish all her seas and rivers upon the whole globe free, and am not at all surprised at the desire of the two Empires to set those near them at liberty.

I think, however, that whatever turn these negociations may take, they cannot directly affect us, although we may be remotely interested in the freedom of the Levant trade, and of the seas and rivers in the neighborhood of it.

I have the honor to be, &c.,

JOHN ADAMS.

TO ROBERT R. LIVINGSTON.

Paris, July 15th, 1783.

Sir,

Enclosed are copies of papers which have passed between Mr. Hartley and the American Ministers. We have not thought it prudent to enter into any written controversy with him upon any of these papers. We have received whatever he has offered us. But he has offered nothing in the name of his Court, has signed nothing, and upon inquiry of him we have found that he has never had authority to sign officially any proposition he has made.

I think it is evident that his principals, the coalition, do not intend to make any agreement with us about trade, but to try experiments by their proclamations. I think, too, that they mean to postpone the definitive treaty as long as possible. We can get no answer, and I believe Mr. Hartley gets no decisive answers to any thing.

Enclosed, also, is a pamphlet entitled "Observations on the American States," said to have been published by Lord Sheffield, and to have been composed by four American renegadoes. The spirit of it needs no comments. It deserves to be attended to, however, by Congress. It is a fatal policy, as it appears to me, to see a British Ambassador at Versailles, and a French Ambassador at St. James's, and no American Minister at the latter. This is admired at Versailles, I doubt not, but not because they think it for our interest.

I have the honor to be, with great respect, sir, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, July 16th, 1783.

Sir,

Yesterday we waited on the Count de Vergennes at Versailles, and showed him the project of a letter to the Ministers of the two Imperial Courts, which he read and approved. We told him that we were at a loss what might be the effect of the mediation; possibly we might be involved in difficulties by it; possibly the British Ministers might persuade the mediators to offer us their advice upon some points, respecting the Royalists for example, which we could

not comply with. The Count said that he had told them, that as soon as he had fully agreed with England upon all points, their mediation should be accepted, and they should sign the treaty as such; and we might agree to it in the same manner. He said we were not obliged to this, but as they were to be present and sign one treaty, it would look better to sign both. It would be a very notorious, public, and respectable acknowledgment of us as a Power by those Courts. Upon this footing we left the letter with him to be shown to the Imperial Ministers.

We asked the Count if he had seen the British proclamation of the 2d of July. He answered that he had. I asked him if the King had determined any thing on the subject of salt provisions and salt-fish, whether we might import them into his islands. He said we might depend upon it, they could not supply their islands with fish, that we had two free ports in their islands, St. Lucia and a port in Martinique. By the thirty-second article of the treaty of commerce, these free ports are secured to us; nothing, he said, was determined concerning salt beef and pork, but the greatest difficulty would be about flour. I told the Count that I did not think it would be possible either for France or England to carry on this commerce between the Islands and Continent; it was profitable to us only as it was a part of a system; that it could not be carried on without loss in large vessels navigated by many seamen, which could sail only at certain seasons of the year, &c. Upon the whole, I was much pleased with this conversation, and conclude from it that we shall do very well in the French West India Islands, perhaps the better in them the worse we are treated by the English.

The Dutch and Danes will, I doubt not, avail themselves of every error that may be committed by France or England. It is good to have a variety of strings to our bow; and, therefore, I wish we had a treaty of commerce with Denmark, by which a free admission of our ships into their ports in the West Indies might be established. By means of the Dutch, Danes, and Portuguese, I think we shall be able to obtain finally proper terms of France and England.

The British proclamation of the 2d of this month is the result of refugee politics; it is intended to encourage Canada and Nova Scotia, and their fisheries, to support still the ruins of their navigation act, and to take from us the carriage even of our own productions. A

system which has in it so little respect for us, and is so obviously calculated to give a blow to our nurseries of ships and seamen, could never have been adopted but from the opinion, that we had no common Legislature for the government of commerce.

All America from the Chesapeake Bay to St. Croix I know love ships and sailors, and those parts to the southward of that bay have advantages for obtaining them when they will, and therefore I hope the Thirteen States will unite in some measures to counteract this policy of Britain, so evidently selfish, unsocial, and I had almost said hostile. The question is, what is to be done? I answer, perhaps it will be most prudent to say little about it at present, and until the definitive treaty is signed, and the States evacuated. But after that, I think in the negociation of a treaty of commerce with Great Britain, Congress should tell them that they have the means of doing justice to themselves. What are these means? I answer, let every State in the Union lay on a duty of five per cent. on all West India articles imported in British ships, and upon all their own productions exported in British ships. Let this impost be limited in duration, until Great Britain shall allow our vessels to trade to their West Indies. This would effectually defeat their plan, and encourage our own carrying trade more than they can discourage it.

Another way of influencing England to a reasonable conduct, is to take some measures for encouraging the growth in the United States of West India articles; another is to encourage manufactures, especially of wool and iron among ourselves. As tilt-hammers are now not unlawful, and wool may be water-borne, much more may be done now than could have been done before the war. But the most certain method is, to lay duties on exports and imports by British ships. The sense of a common interest and common danger, it is to be hoped, will induce a perfect unanimity among the States in this respect. There are other ways of serving ourselves, and making impressions upon the English to bring them to reason. One is, to send ships immediately to China. This trade is as open to us as to any nation, and if our natural advantages at home are envied us, we should compensate ourselves in any honest way we can.

Our natural share in the West India trade is all that is now wanting to complete the plan of happiness and prosperity of our country. Deprived of it, we shall be straitened and shackled in some degree.

We cannot enjoy a free use of all our limits without this ; with it, I see nothing to desire, nothing to vex or chagrin our people, nothing to interrupt our repose, or keep up a dread of war.

I know not what permission may be expected from Spain to trade to the Havana, but should think that this resource ought not to be neglected.

I confess I do not like the complexion of British politics. They are mysterious and unintelligible. Mr. Hartley appears not to be in the secret of his Court. The things which happen appear as unexpected to him as to us. Political jealousies and speculations are endless. It is possible the British Ministers may be secretly employed in fomenting the quarrel between the two Imperial Courts and the Porte, and in secretly stirring up the French to join the Turks in the war. The prospect of seeing France engaged in a war may embolden them to adopt a system less favorable to us. The possibility of these things should stimulate us, I think, to form as soon as possible treaties of commerce with the principal Powers, especially the Imperial Courts, that all our questions may be decided. This will be a great advantage to us, even if we should afterwards be involved in a war. I put this supposition with great reluctance. But if England should, in the course of a few years or months, have the art to stir up a general war in Europe, and get France and Spain seriously involved in it, which is at least a possible case, she may assume a tone and conduct towards us, which will make it very difficult for us to avoid taking a part in it. If such a deplorable circumstance should take place, it will be still a great advantage to us to have our sovereignty explicitly acknowledged by these Powers, against whom we may be unfortunately obliged to act. At present they are all disposed to it, and seem desirous of forming connexions with us, that we may be out of the question.

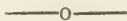
The politics of Europe are such a labyrinth of profound mysteries, that the more one sees of them the more causes of uncertainty and anxiety he discovers.

The United States will have occasion to brace up their confederation, and act as one body with one spirit. If they do not, it is now very obvious that Great Britain will take advantage of it in such a manner as will endanger our peace, our safety, and even our very existence.

A change of Ministry may, but it is not certain that it will, give us better prospects.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Paris, July 17th, 1783.

Sir,

Last evening Mr. Hartley spent two hours with me, and appeared much chagrined at the proclamation, which had never been communicated to him by his principals. He has too much contempt of the commercial abilities of the French, and, consequently, said that the French could derive but little benefit from this step of his Court, but he thought the Dutch would make a great advantage of it. I endeavored to discover from him whether he suspected that his Court had any hand in stirring up the two Imperial Courts to make war upon the Turks. I asked him what was the state of their Mediterranean trade, and Levant trade. He said it was dead, and that their Turkey Company was dead, and, therefore, he did not think his Court cared much about either, or would ever do anything to prevent the Empires. He thought it possible that they might rather encourage them.

I am quite of Mr. Hartley's mind, that the Dutch will profit by all the English blunders in regulating the West India trade, and am happy that M. Van Berckel will be soon with Congress, when its members and Ministers may communicate through him anything they wish to their High Mightinesses. They may inquire of him what are the rights of the East and West India Companies? To what an extent our vessels may be admitted to Surinam, Curaçoa, Demarara, Essequibo, Berbice, St. Eustatia? What we may be allowed to carry there? and what bring from thence to the United States, or to Europe? Whether we may carry sugars, &c., to Amsterdam, Rotterdam, &c.? There are at Rotterdam and Amsterdam one hundred and twenty-seven or eight refineries of sugar. How far these may be affected, &c.?

I lay it down for a rule, that the nation which shall allow us the most perfect liberty to trade with her Colonies, whether it be France,

England, Spain, or Holland, will see her Colonies flourish above all others, and will draw proportionally our trade to themselves; and I rely upon it, the Dutch will have sagacity to see it, and as they are more attentive to mercantile profit than to a military marine, I have great hopes from their friendship. As there will be an interval before the signature of the definitive treaty, I propose a journey of three weeks to Amsterdam and the Hague, in hopes of learning in more detail the intentions of the Dutch in this respect. I am in hopes, too, of encouraging the loan to assist our Superintendent of Finance. The Dutch may be a great resource to us in finance and commerce. I wish that cargoes of produce may be hastened to Amsterdam to Messrs. Willinks & Co., for this will give vigor to the loan, and all the money we can prevent England and the two Empires from obtaining in Holland, will not only be nerves for us, but perhaps be useful, too, to France in her negociations.

I have spent the whole forenoon in conversation with the Duc de la Vauguyon. He thinks that England wishes to revive her trade to the Levant, to Smyrna, Aleppo, &c., and her carrying trade in Italy; and although she might be pleased to see France involved in a war with the Emperor and Empress, yet he thinks her funds are not in a condition to afford subsidies to either, and, therefore, that she will be perfectly neutral. Quere, however, whether if by a subsidy or a loan of a million or two a year, she could make France spend eight or ten millions, she would not strive hard to do it? The Duke thinks that France will proceed softly, and endeavor, if possible, to avert the furious storm that threatens, and to compose the disputes of the three Empires, if possible; but she will never suffer such a usurpation as the conquest of the Turkish Provinces in Europe. France will certainly defend Constantinople. He thinks that the Empress of Russia has not revenues, and cannot get cash to march and subsist vast armies, and to transport great fleets, and that the Emperor has not revenues to support a long war.

This is, however, a serious business, and France lays it so much to heart, and looks upon the chance of her being obliged to arm as so probable, that I presume this to be the principal motive of her refusal to lend us two or three millions of livres more.

As to our West India questions, the Duke assures me that the French Ministry, particularly the Count de Vergennes, are determined to do every thing they can consistent with their own essential

interests, to favor and promote the friendship and commerce between their country and ours. That they, especially the Count, are declared enemies of the French fiscal system, which is certainly the most ruinous to their commerce, and intend to do every thing they can to make alterations to favor commerce; but no change can be made in this without affecting their revenues, and making voids, failures, and deficiencies which they cannot fill up. They must, therefore, proceed softly. That France would favor the commerce between Portugal and America, because it would tend to draw off that kingdom from her dependence on England. That England, by her commercial treaty with the Portuguese in 1703, has turned them into an English Colony, made them entirely dependent, and secured a commerce with them of three millions value. France would be glad to see this, or as much of it as possible, turned to America.

The Duke agrees fully with me in the maxim, that those Colonies will grow the most in wealth, improvement, population, and every sort of prosperity, which are allowed the freest communication with us, and that we shall be allowed to carry lumber, fish, and live stock, to their islands, but that the export of their sugars to us, he thinks, must be in their own ships, because they are afraid of our becoming the carriers of all their commerce, because they know and say that we can do it cheaper than they can. These sentiments are different from those which he mentioned to me a few days ago, when he said the West India trade with us must be carried on in French bottoms.

The Duke said the English had been trying to deceive us, but were now developing their true sentiments. They pretended for awhile to abolish the navigation act and all distinctions, to make one people with us again, to be friends, brothers, &c., in hopes of drawing us off from France, but not finding success, they were now showing their true plan. As to the pretended system of Shelburne of a universal free commerce, although he thought it would be for the good of mankind in general, yet, for an English Minister, it was the plan of a madman, for it would be the ruin of that nation. He did not think Shelburne was sincere in it; he only meant an illusion to us. Here I differ from the Duke, and believe that the late Ministry were very sincere towards us, and would have made a treaty with us at least to revive the universal trade between us upon a liberal plan. This doctrine of ruin from that plan to the English has been so

much preached of late in England by the French and American refugees, who aim at establishments in Canada and Nova Scotia, and by the old Butean Administration and their partisans, that I do not know whether any Ministry could now support a generous plan. But if Temple, Thurlow, Shelburne, Pitt, &c., should come in, I should not despair of it. It is true, the Shelburne administration did encourage the ideas of cordial, perfect friendship, of entire reconciliation of affections, of making no distinction between their people and ours, especially between the inhabitants of Canada and Nova Scotia and us, and this with the professed purpose of destroying all seeds of war between us. These sentiments were freely uttered by Fitzherbert, Oswald, Whiteford, Vaughan, and all who had the confidence of that Ministry; and in these sentiments they were, I believe, very sincere. And they are, indeed, the only means of preventing a future war between us and them, and so sure as they depart from that plan, so sure, in less than fifteen years, perhaps less than seven, there will break out another war. Quarrels will arise among fishermen, between inhabitants of Canada and Nova Scotia and us, and between their people and ours in the West Indies, in our ports, and in the ports of the three kingdoms, which will breed a war in spite of all we can do to prevent it. France sees this and rejoices in it, and I know not whether we ought to be sorry; yet I think we ought to make it a maxim to avoid all wars, if possible; and to take care that it is not our fault if we cannot. We ought to do every thing which the English will concur in to remove all causes of jealousies, and kill all the seeds of hostility as effectually as we can; and to be upon our guard to prevent the French, Spaniards, and Dutch, from sowing the seeds of war between us, for we may rely upon it they will do it if they can.

I have the honor to be, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Sir,

Paris, July 18th, 1783.

There is cause to be solicitous about the state of things in England. The present Ministry swerve more and more from the true system, for the prosperity of their country and ours. Mr.

Hartley, whose sentiments are at bottom just, is probably kept here, if he was not sent at first, merely to amuse us, and to keep him out of the way of embarrassing the coalition. We need not fear that France and England will make a common cause against us, even in relation to the carrying-trade to and from the West Indies. Although they may mutually inspire into each other false notions of their interests at times, yet there can never be a concert of operations between them. Mutual enmity is bred in the blood and bones of both, and rivals and enemies at heart they eternally will be.

In order to induce both to allow us our natural right to the carrying-trade, we must negotiate with the Dutch, Danes, Portuguese, and even with the Empires; for the more friends and resources we have, the more we shall be respected by the French and English; and the more freedom of trade we enjoy with the Dutch possessions in America, the more will France and England find themselves necessitated to allow us.

The present Ministers in England have very bad advisers; the refugees, and emissaries of various other sorts, and we have nobody to watch and counteract, to correct or prevent any thing.

The United States will soon see the necessity of uniting in measures to counteract their enemies, and even their friends. What powers Congress should have for governing the trade of the whole, for making or recommending prohibitions or imposts, deserves the serious consideration of every man in America. If a constitutional legislative authority cannot be given them, a sense of common danger and necessity should give to their recommendations all the force upon the minds of the people, which they had six years ago.

If the union of the States is not preserved, and even their unity, in many great points, instead of being the happiest people under the sun, I do not know but we may be the most miserable. We shall find our foreign affairs the most difficult to manage of any of our interests; we shall see and feel them disturbed by invisible agents, and causes, by secret intrigues, by dark and mysterious insinuations, by concealed corruptions of a thousand sorts. Hypocrisy and simulation will assume a million of shapes; we shall feel the evil without being able to prove the cause. Those, whose penetration reaches the true source of the evil will be called suspicious, envious, disappointed, ambitious. In short, if there is not an authority sufficiently decisive to draw together the minds, affections, and forces

of the States, in their common foreign concerns, it appears to me we shall be the sport of transatlantic politicians of all denominations, who hate liberty in every shape, and every man who loves it, and every country that enjoys it. If there is no common authority, nor any common sense to secure a revenue for the discharge of our engagements abroad for money, what is to become of our honor, our justice, our faith, our universal, moral, political, and commercial character? If there is no common power to fulfil engagements with our citizens, to pay our soldiers, and other creditors, can we have any moral character at home? Our country will become the region of everlasting discontents, reproaches, and animosities, and instead of finding our independence a blessing, we shall soon become Capadocians enough to wish it done away.

I may be thought gloomy, but this ought not to discourage me from laying before Congress my apprehensions. The dependence of those who have designs upon us, upon our want of affection to each other, and of authority over one another, is so great, that in my opinion, if the United States do not soon show to the world a proof that they can command a common revenue to satisfy their creditors at home and abroad, that they can act as one people, as one nation, as one man, in their transactions with foreign nations, we shall be soon so far despised, that it will be but a few years, perhaps but a few months only, before we are involved in another war.

What can I say in Holland, if a doubt is started, whether we can repay the money we wish to borrow? I must assure them in a tone that will exclude all doubt that the money will be repaid. Am I to be hereafter reproached with deceiving the money-lenders? I cannot believe there is a man in America who would not disdain the supposition, and therefore I shall not scruple to give the strongest assurances in my power. But if there is a doubt in Congress, they ought to recall their borrowers of money.

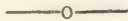
I shall set off to-morrow for Holland, in hopes of improving my health, at the same time that I shall endeavor to assist the loan, and to turn the speculations of the Dutch merchants, capitalists and statesmen, towards America. It is of vast importance that the Dutch should form just ideas of their interests respecting the communication between us and their islands, and other colonies in America. I beg that no time may be lost in commencing conferences with M. Van Berckel upon this subject, as well as that of money; but this

should not be communicated to the French nor the English, because we may depend upon it, both will endeavor to persuade the Dutch to adopt the same plan with themselves. There are jealousies on both sides the Pass of Calais, of our connexions and negociations with the Dutch. But while we avoid as much as we can to inflame this jealousy, we must have sense and firmness and independence enough not to be intimidated by it, from availing ourselves of advantages that Providence has placed in our power. There ever have been, and ever will be, suspicions of every honest, active, and intelligent American, and there will be as there have been, insidious attempts to destroy or lessen your confidence in every such character. But if our country does not support her own interests, and her own servants, she will assuredly fall. Persons who study to preserve or obtain the confidence of America, by the favor of European statesmen, or Courts, must betray their own country to preserve their places.

For my own part, I wish Mr. Jay and myself almost any where else but here. There is scarce any other place where we might not do some good. Here we are in a state of annihilation.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, July 23d, 1783.

Sir,

On Saturday last I left Paris, and arrived here last night. This morning I sent M. Dumas to M. Van Berckel and M. Gyselaer, to inform them of my arrival, and to desire a conversation with them, upon the subject of the commerce between the United States and the Dutch establishments in the West Indies.

M. Van Berckel told M. Dumas "that St. Eustatia and Curaçoa were open to the vessels of all nations, and to the commerce of all the world; but that it was not the interest of the West India Company alone, but that of the whole State, that obliged them to confine the commerce of their sugars to themselves, because of the great number of their refineries of sugar. That all their own sugars were not half enough to employ their sugar-houses, and that at least one

half of the sugars refined in Holland were the production of the French West India Islands."

I suppose that some of these sugars may have been carried first to St. Eustatia, and brought from thence to Holland, and some others may have been purchased in the ports of France, and imported raw from thence. I do not know that Dutch vessels were permitted to purchase sugars in the French Islands, and export them from thence. This matter deserves to be examined to the bottom. If France has not sugar-houses for the refinement of her own sugars, but is obliged to carry them, or to permit their being carried to Amsterdam and Rotterdam for manufacture, why should she not be willing that the same sugars should be carried by Americans to Boston, New York, and Philadelphia? Surely France has no predilection for Holland rather than America. But what is of more weight, all the sugars which America takes will be paid for in articles more advantageous to the Islands, and to France, than the pay that is made by the Dutch. If any sugars refined in Holland are afterwards sold in France, surely it would be more for the interest of France, or rather less against her interests to have the same sugars refined in America, and afterwards sold in France, because the price of them would be laid out by us in France. There is this difference between us and the Dutch, and all other nations, we spend in Europe all the profits we make and more, the others do not. But if the French sugars refined in Holland are afterwards sold in other parts of Europe, it would be just as well that we should sell them. We have sugar-houses as well as the Dutch, and ours ought not to be more obnoxious to French policy or commerce than theirs.

Sugars are a great article. There is a great consumption in America. It is not the interest of any nation that has sugars to sell to lessen the consumption there. All such nations should favor that consumption in order to multiply purchasers, and quicken the competition, by which the price is raised. None of these nations then will wish to prevent our having sugar, provided we offer as high, or a higher price. How they will be able to arrange their plans so that we may have enough for our own consumption, without having more, without having some for exportation, I do not know.

We have now St. Eustatia and Curaçoa, St. Lucia and Martinique, St. Thomas and St. Martin's—no less than six free ports in the West Indies; and perhaps England may be induced, necessitated

indeed, to add two more to the number, and make eight. At these free ports it will be hard if we cannot find sugars, when we carry thither all our own productions in our own ships. And if the worst should happen, and all the nations who have sugar Islands should forbid sugars to be carried to America in any other than their own bottoms, we might depend upon having enough of this article at the free ports to be brought away in our own ships, if we should lay a prohibition or a duty upon it in foreign ships. To do either the States must be united, which the English think cannot be. Perhaps the French think so too, and in time, they may persuade the Dutch to be of the same opinion. It is to be hoped we shall disappoint them all. In a point so just and reasonable, when we are contending only for an equal chance for the carriage of our own productions, and the articles of our own consumption, when we are willing to allow to all other nations even a free competition with us in this carriage, if we cannot unite, it will discover an imperfection and weakness in our constitution, which will deserve a serious consideration.

M. Visscher, Pensionary of Amsterdam, who came in to visit me, when I had written thus far, showed me a list of the Directors of the West India Company, and refers me to M. Bicker, of Amsterdam, as one of the most intelligent of them. He says that the Colonists of Surinam, Berbice, Essequibo, and Demarara, have been in decay, and obliged to borrow money of the merchants at home, and have entered into contracts with those merchants, to send them annually all the productions of their plantations to pay the interest and principal of their debts ; that this will make it difficult to open the trade.

Soon after M. Visscher went out, M. Van Berckel came in. I entered into a like conversation with him, and told him that I thought the decay of their plantations in the West Indies had been owing to the rivalry of other nations, especially the English, whose Islands had greater advantages from a freer communication with North America ; and I thought it might be laid down as a rule, that those Islands would flourish most in population, culture, commerce, and wealth, which had the freest intercourse with us, and that this intercourse would be a natural means of attracting the American commerce to the metropolis. He thought so too.

I then mentioned to him the loan ; and asked him if he thought that the States-General, the States of Holland, or the Regency of

Amsterdam, would be likely in any way to aid us? He said no; that the country was still so much divided that he could not depend upon any assistance in that way. That the Council of Amsterdam was well enough disposed; but that the Burgomasters were not so. That M. Temmink, M. Huggens, and M. Rendorp, were not to be depended on in such an affair. That, therefore, our only resource was, to endeavor to gain upon the public opinion and the spirit of the nation, and that, in this respect, he would do me all the service in his power. He thought that the present uncertainty about the definitive treaty, and the fate of the Republic, would be an obstacle; but the definitive treaty once signed, he thought our loan would succeed very well. I asked him whether he thought that the junction of three houses in my loan was any obstruction to it? and whether any one of them, or whether any other house would do better? I told him what his brother (now I hope in Philadelphia) had said to M. Dumas, viz: that the house of Wilhem and Van Willink alone would succeed sooner than the three. I asked him whether he thought the house of Hope, either alone, or in conjunction with that of the Willinks, or any other, would undertake it? He said this might well be, and that if they saw their interest in it they would, for those mercantile houses had no other object in view. He promised me to make inquiry into this matter, and let me know the result.

Upon this occasion, I must inform Congress that it is absolutely necessary they should send another Minister to this Republic without loss of time; because our three present houses, before they would undertake the loan, extorted a promise from me not to open another with any other house until the five millions should be full. This engagement I took for myself alone, however, and expressly premised that Congress should not be bound by it; that Congress should be perfectly free, and that any other Minister they might send here should be perfectly free to open another loan, when and with whom they pleased. A new Minister, therefore, may open a loan when he will, with Hope, Willink, or whom he will, and I am persuaded it would succeed to a good amount.

I made visits to-day, the 25th of July, to the Grand Pensionary, the Secretary Fagel, the President of the week, and M. Gyselaer; and returned visits to M. Van Berckel and M. Visscher. M. Gyselaer

says, that at present there is no ready money (*argent comptant*) in the Republic, but in two months there will be, and the loan will go very well.

At noon I went to the house in the Grove, to make my court to the Prince and Princess of Orange.

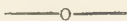
The Prince either happened to be in a social humor, or has had some political speculations lately, for he thought fit to be uncommonly gracious and agreeable. He made me sit, and sat down by me, and entered into familiar conversation about the negociations of peace. He asked many questions about it, and the probability of a speedy conclusion of the definitive treaty. At length, he asked me if Dr. Franklin was left alone? I answered that Mr. Jay was with him. He asked if I returned before the signature? I answered that such was my intention. He asked whether Dr. Franklin was an Ambassador? I answered that he was a Minister Plenipotentiary only. He asked if none of us were Ambassadors? I answered that we all had the same rank of Ministers Plenipotentiary, and that Congress had never yet made an Ambassador. He said he was astonished at that; that he had a long time expected to hear that we had displayed the character of Ambassadors. I asked his Highness what reason he had for this, and what advantage there was in it? "Why," said he, "I expected that your Republic would early assert her right to appoint Ambassadors. Republics have been generally fond of appointing Ambassadors, in order to be on a footing with crowned heads. Our Republic began very early. We had eight Ambassadors at the peace of Munster; one for each Province, and one supernumerary. And we always choose to appoint Ambassadors, for the sake of being upon an equality with crowned heads. There are only crowned heads, republics, and the electors of the Empire, who have a right to send Ambassadors; all others can only send Envoys and Ministers Plenipotentiary. Princes cannot send Ambassadors. I cannot, as Stadtholder, nor as Prince, nor in any other quality, send a Minister of any higher order, than an Envoy, or Minister Plenipotentiary." He asked me what was the reason the Congress had not made use of their right? I answered his Highness, that really I did not know. It was a subject I had never much reflected on; perhaps Congress had not. Or they might think it a matter of ceremony and of show, rather than substance; or might think the

expense greater than the advantage. He said it was very true the dignity of the rank must be supported, but he thought the advantage worth more than the expense.

I am utterly at a loss for his Highness's motives for entering so minutely into this subject. Whether M. Van Berckel, before his departure, had mentioned it; whether he thought he should please me by it; whether he thought to please Congress by it; whether he affected to interest himself in the honor of the United States; or whether any of the politicians of this, or any other country, have put him upon it, or whether it is mere accident, I know not. They are the words of a Prince, and I have reported them very exactly.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, July 25th, 1783.

Sir,

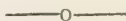
It is the general opinion here both among the members of the States, and at the *Hôtel de France*, that the delays of the definitive pacification are contrived by the Court of London, in order to set all their instruments at work in this Republic, to induce it to renew its ancient connexions with Great Britain, particularly their alliance, offensive and defensive, by which each Power was bound to furnish the other, if attacked, a certain number of ships and troops. Against this, the patriotic party is decided, and they are now very well satisfied with the Grand Pensionary, Bleiswick, because he openly and roundly takes their side, and the Court is said to be discontented with him for the same reason. There is, no doubt, an intelligence and correspondence between the two Courts of London and the Hague, to bring about this point. The Grand Pensionary told me yesterday, that the Court of London desired it, and there were persons here who desired it, and he knew very well who they were; but that most certainly they would not carry their point. Van Berckel, Visscher, and Gyselaer, all assured me of the same, and added, that the fear of this had determined them not to send a Minister to London, but to go through with the negociation at Paris, although they were all highly dissatisfied with the conduct of France, and particularly with that of the Count de Vergennes.

They all say he has betrayed and deserted them, played them a very bad trick, (*tour*;) and violated his repeated promises to them. They do not in the least spare M. Berenger and M. Merchant, who conduct the French affairs here, in the absence of the Duc de la Vauguyon, but hold this language openly and freely to them. These gentlemen have sometimes found it hard to bear, and have winced, and sometimes even threatened; but their answer has been more mortifying still: "Do as you please, drive the Republic into the arms of England if you will. Suppress all the friends of France, if you chose it." And some of them have said, "we will go to America." They all say, that France had the power to have saved them. That the acquisition of Tobago was no equivalent to France for the loss of the Republic, &c., &c., &c. They are all highly pleased with the conduct of their own Ambassador, Brantzen, with his activity, intelligence, and fidelity. They all say, that they would send a Minister to London to negotiate there, if they were sure of carrying an election for a man they could depend upon. But the Court here would have so much influence in the choice, that they would run a risk of sending a man, who would insensibly lead them into a revival of the old ties with England, which, they say, is enslaving the Republic to that Kingdom.

I learn here from all quarters a confirmation of what I had learned before at Paris from M. Brantzen and the Duc de la Vauguyon, viz: that the Duke of Manchester had given them no answer, nor said a word to them for six weeks, in answer to the propositions they had made; among which was an offer of an equivalent for Negapatnam. They offered some establishments in Sumatra and Surat. Lately the Duke of Manchester has received a courier, and has given an answer that a real equivalent might be accepted. No answer is given to any other point, and this is vague; so that another courier must go to London and return. Parliament is now up, and perhaps the Ministers may now be more attentive, and less timorous.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

Amsterdam, July 28th, 1783.

Sir,

I find upon inquiry, that there are in this Republic, at Amsterdam,

Rotterdam, and Dort, near one hundred and thirty sugar-houses. The whole of the raw sugars produced in Surinam, Berbice, Esse quibo, and Demarara, are wrought in these houses; and, besides, raw sugars were purchased in Bordeaux and Nantes, after being imported from the French islands in French bottoms. Raw sugars were also purchased in London, which went under the general name of Barbadoes sugars, although they were the growth of all the English islands, and imported to London in British bottoms. I have learnt further, that great quantities of raw Brazil sugars were purchased in Lisbon, and that these were cheaper than any of the others. All these raw sugars were imported into Amsterdam, Rotterdam, and Dort, and there manufactured for exportation. We must endeavor to obtain a share in this trade, especially with Lisbon or the Western Islands.

Since it is certain that neither Portugal, France, nor England, has been able to manufacture all their raw sugars, but each of them sold considerable quantities to the Dutch, I suppose that we may undoubtedly purchase such sugars in future in Lisbon, Bordeaux, Nantes, London, and perhaps Ireland, and carry them where we please, either home to America, or to Amsterdam, or to any part of Europe, and there sell them, and in this way promote our own carrying trade, as well as enable ourselves to make remittances. I cannot see why the English or French should be averse to their sugars going to America directly; and if they insist upon carrying them in their own ships, we may still have enough of them. The Dutch have the most pressing commercial motives to bring home their West India produce; yet they would really gain the most by opening a free communication with us, because they would the most suddenly make their colonies flourish by it.

Molasses and rum we shall have, probably, from all the islands, English, French, and Dutch, in our own bottoms, unless the three nations should agree together to keep the whole trade of their islands in their own ships, which is not likely.

I have made all the inquiries I could, and have sown all the seeds I could, in order to give a spur to our loan. Three thousand obligations have been sold, and the other two thousand are signed; but at this time there is a greater scarcity of money than ever was known. The scarcity is so great, that the agio of the bank, which is commonly at four or five per cent., fell to one and a half. The Directors

at length shut up the bank, and it continues shut. The English omnium, which at first was sold for eight or ten per cent. profit, fell to one and a half. The scarcity of money will continue until the arrival of the Spanish flotilla at Cadiz. Seven eighths of the treasures of that flotilla will come here and make money plenty. Then we may expect that my obligations will sell.

In the meantime, I have great pleasure in assuring you that there is not one foreign loan in this Republic which is in so good credit, or goes so quick as mine. The Empress of Russia opened a loan of five millions about the same time that I opened mine. She is far from having obtained three millions of it. Spain opened a loan with the house of Hope at the same time for two millions only, and you may depend upon it, it is very far from being full. Not one quarter part of the loan of France upon life-rents, advantageous as it is to the lender, is full. In short, there is not one Power in Europe whose credit is so good here as ours. Russia and Spain, too, allow of facilities to undertakers and others in disposing of their obligations much more considerable than ours; yet all does not succeed. You will see persons and letters in America that will affirm that the Spanish loan is full, and that France and Spain can have what money they please here. Believe me, this is all stockjobbing gasconade. I have made very particular inquiries, and find the foregoing account to be the truth. Of all the sons of men, I believe the stockjobbers are the greatest liars. I know it has been given out that the Spanish loan which was opened at Hope's was full the first day. This I know has been affirmed in the hearing of Americans with a confidence peculiar, and with a design, I suppose, that it should be written or reported to Congress. But I am now assured that it is so far from being true, that it is not near full to this hour. Let me beg of you, sir, to give Mr. Morris an extract of this, because I am so pressed for time that I cannot write to him.

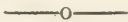
Upon further inquiry concerning sugars, I find that the Dutch were used to purchase annually considerable quantities of the raw sugars of Spain as well as of France, England, and Portugal. Some of these they obtained by a clandestine trade between Curagoa and Havana and St. Domingo; but the greater part were purchased at Cadiz.

I suppose our merchants and masters of vessels will be as adroit at inventing and executing projects of illicit trade as others. But

this is a resource that Congress and the States cannot depend on, nor take into their calculations. Illicit trade will ever bear but a small proportion to that which is permitted. And our Governments should take their measures for obtaining by legal and honorable means from Spain, Portugal, France, England, Holland, and Denmark, all the productions which our people may want for consumption, for manufacture, and for exportation.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT MORRIS.

Amsterdam, July 28th, 1783.

Sir,

Upon inquiry of those who best know, I see no probability of success from any application to authority in this country, for reasons which I have explained to our Minister of Foreign Affairs. Our only resource is in the public opinion and the favor of the nation.

I know of nothing which would operate so favorably upon the public as the arrival of a few vessels with cargoes of American produce, addressed to your bankers and appropriated to the payment of interest. The report of such an event would greatly augment our credit, by spreading the opinion of our ability and disposition to pay.

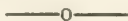
It would be presumption in me, at this distance, to undertake to advise you, who are upon the spot and much better informed. But I beg leave to suggest the question whether an application of Congress to the States would not succeed? Suppose Congress should represent to the States the necessity of an exertion, in order to obtain a loan at present, to enable you to satisfy the most urgent demands of the army, and other public creditors, until the States can agree upon some permanent establishment, and should recommend to each State to furnish a cargo of its produce, in proportion to its rate upon the list. For example: South Carolina and Georgia a quantity of rice or indigo; Virginia and Maryland, of tobacco; Pennsylvania, of wheat or flour; and the northern States, of fish or any other thing. Suppose these cargoes, which need not be expensive for the Thirteen States, should be sent to Amsterdam, or anywhere else in Europe, the proceeds of sale to be remitted to

Amsterdam to your bankers ; the reputation of this if well planned, adopted, and executed, would give a strong impulsion to your loan if adopted here.

I am but just arrived, and have not yet seen our bankers. Saturday and Sunday are usually spent at country seats. But before I leave this place I shall be able to inform you more precisely whether you may depend on any thing from hence. No pains of mine shall be spared. The British stocks are so low that we may hope for something. If a Minister is sent to London, you should give him a commission to borrow money. If he conducts the matter with secrecy and caution, he may probably obtain a considerable sum there. There are moneyed men in that country who wish us well. There are others who may easily be inspired with more faith in our funds than they can rationally have in their own. If, upon advising with proper persons, he should not judge it prudent to open a loan there, he might easily put things in a train for some individuals to purchase obligations in your loan in Amsterdam. So dismal are the prospects in England that many men are on the wing to fly, and some would be willing to transfer their property across the Atlantic.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, July 30th, 1783.

Sir,

I have been the more particular in my letters to you concerning that extensive manufacture and commerce of refined sugars in this country, because the proximity of all the sugar colonies to us renders a share in it naturally useful and convenient, both to us and them. Fifty thousand hogsheads of raw sugar are annually wrought in this Republic, and exported at a great profit to Germany, Denmark, Sweden, Russia, Poland, and Italy. At Amsterdam I visited a number of respectable merchants, in order to discover their sentiments concerning the communication between us and their islands and sugar colonies. They all agree that St. Eustatia and Curaçoa are and will be commercial islands, open and free to all our vessels. St. Martin's is divided between the French and Danes and the

Dutch, whose share of it does not flourish. The colonies upon the continent, Surinam, Berbice, Demarara, and Essequibo, are at a greater distance from us. But they will be open to our vessels and their cargoes, because they all agree that those colonies cannot subsist without our horses, lumber, and provisions, nor without the sale to us of their molasses. We shall be allowed to take in return molasses, with which some quantities of sugar, coffee, and other produce are always smuggled, as they say. But although nothing has been as yet determined, it is the general opinion that the produce of the colonies must be brought home in Dutch ships, as heretofore, molasses excepted.

From the Secretary of the West India Company I have obtained a few minutes, in so bad French that I almost despair of rendering them intelligible. I have attempted it, however, in the following translation, viz :

“In the grant of the West India Company, renewed, or more properly newly erected, in the year 1700, continued in 1730, prolonged afterwards in the year 1760 for two years, and in the year 1762, from the first of January to the thirty-first of December, 1791, are found the limits fixed, only for the inhabitants of these Seven United Provinces, under the name of the United Company of these Provinces, upon the coasts and country of Africa, computing from the tropic of Cancer to the southern latitude of the equinoctial line, with all the islands in this district situated upon the said coast, and particularly the Islands of St. Thomas, Annebon, Islands of Principia and Fernando Po, as also the places of Essequibo and Baumenora, situated upon the continental coasts of America, as also the Islands of Curaçoa, Amaba, and Buen Aire. All the other limits of the ancient grant being open for the commerce of all the inhabitants of the Republic, without exception, upon condition, however, that if the company, oriental and occidental, should judge proper to navigate to the islands situated between the coasts of Africa and America, beginning at the Ascension, and further south, or any of them, and should occupy it before any other should have a private grant, with exclusion of all others for so long time as it shall occupy its places; and in case they should desist, these places should return under the second class, open for the navigation of every individual of the Republic, paying an acknowledgment, &c. That the said particulars, trading in the said districts, shall be obliged

to acknowledge the Western Company, and to pay them for the right of convoy, and consequently in form of acknowledgment, viz: for the productions and merchandizes for the West Indies two per cent., and returning from thence into these Provinces two per cent. more for the commodities in return. And further, the ships navigating to places farther distant in America, contained in the ancient grant, both in going and returning, should pay five florins per last, or more or less, as their High Mightinesses shall judge proper to determine hereafter; observing, nevertheless, that these five florins per last shall not be demanded of ships navigating to the Carribee Islands, which shall pay the ordinary duty for convoy to the Colleges of the Admiralty from which they sail, and the said private navigators shall be held, moreover, for the satisfaction of the Western Company, to give sufficient caution, that they will not navigate, nor cause to be navigated, the places contained in the first class ceded to the company, with exclusion of all others. And if any one is found to act contrary, and to navigate to any place situated in the prescribed limits, and granted to the company, his ship and cargo shall be confiscated and attacked in force by the ships belonging to the said company; and if such ships and merchandizes or commodities shall be sold or entered into any other country or foreign port, the owner and his accomplice shall be liable to execution for the value of the said ships and merchandizes or commodities.

“The company has also the right to require an acknowledgment of all those who shall navigate, import, or export any merchandize to or from places belonging to the said company, notwithstanding they may be subject, and may belong to the domination of other Kings or Princes, situated within the limits stipulated in the grant; and especially of every foreign vessel bringing any commodities or merchandizes from the West Indies or the limits stipulated in the grants, into the Provinces, whether upon its own account, or freight, or on commission, whether such foreign vessel shall come directly from the West Indies, and the limits of the grant, into the Provinces, or whether she shall have carried her cargo to other countries or kingdoms, for what reason soever this may be done. Excepting only in case the merchandizes of the proprietor should, by negotiation, be changed in nature, and that the duty of this country fixed to the place should be paid, which any one alleging shall be obliged to prove sufficiently, according to the amount of the merchandizes. Declaring, moreover,

for the further elucidation of the said grant, that under the name of the New Low Countries, in consequence of the three per cent., which the company has a right to require for the merchandizes sent there or brought from thence, is understood that part of North America, which extends itself west and south of the northern part of Newfoundland as far as the Cape of Florida, and for what regards the payment of the two per cent. under the name of the West Indies, to be computed from the Cape of Florida, to the river Oronoco, and the Islands of Curaçoa. For what concerns the other places of America, contained in the most ancient and precedent grant, in regard to the five florins per last upon the vessels there navigating, shall be understood all the Caribbee Islands, Cuba, Jamaica, Hispaniola, and Porto Rico, as also all the other coasts and countries, computing from the river Oronoco aforesaid, by the Straits of Magellan, Le Maire, or other passages or straits, situated under these, as far as the Strait of Aryan, both upon the sea of the North and the islands situated upon the other side, and between them, as also the southern countries, situated between the two meridians, touching at the east the Cape of Good Hope, and in the west the eastern part of New Guinea, inclusively."

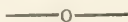
If this paper is not very clear to Congress, it is not more so to me, and perhaps to the Dutch themselves. There is a dispute likely to arise between the West India Company and the College of the Admiralty about it, which will be explained further as it proceeds, by whatever Minister you may send here.

Upon the whole matter of our communications with the European establishments in the West Indies: we shall carry freely our commodities to the French and Dutch, excepting, perhaps, flour to the French, which, however, will be carried, I suppose, to St. Lucia and Port Royal, as well as St. Eustatia and Curaçoa, St. Thomas's, and St. Martin's, and there sold to any nation that will purchase it. Molasses and rum we shall bring away freely from the French and Dutch. And if we can obtain of them the liberty of carrying sugars, coffee, &c., from their possessions in the West Indies to their ports in Europe, giving bonds, with surety, to land them in such ports, it will be as much as we can expect. If they will allow raw sugars, coffee, cotton, &c., to be sent freely to the United States in their own vessels, this would be an advantage for us, though not so considerable as to bring them in ours. What the English will do is

uncertain. We are not to take the late proclamation for a law of the Medes. The Ministry who made it are not firm in their seats. If Shelburne comes in we shall do better; and, to be prepared to take advantage of so probable an event, you should have a Minister ready. We have one infallible resource, if we can unite in laying a duty or a prohibition. But this measure must not be hastily taken, because, by negociation I apprehend the point may be carried in England. To this end it may be proper to instruct your Minister, and authorise him to say that the States will find themselves obliged, against their inclination, to lay a prohibition or heavy duty upon all West India goods imported, and all American productions exported in British bottoms, if the trade is not regulated by treaty upon an equitable footing.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, July 31st, 1783.

Sir,

The last evening at Court, in the House in the Grove, where all the foreign Ministers supped, the Count Montagnini de Mirabel, the Minister Plenipotentiary from the King of Sardinia, took an opportunity to enter largely into conversation with me. As he and I were at a party of politics, while the greatest part of the company were at cards, for two or three hours, we ran over all the world, but nothing occurred worth repeating except what follows:

The Count said that his advice to Congress would be to write a circular letter to every Power in Europe as soon as the definitive treaty should be signed, and transmit with it a printed copy of the treaty. In the letter Congress should announce that on the 4th of July, 1776, the United States had declared themselves a sovereign State, under the style and title of the United States of America; that France, on the 6th of February, 1778, had acknowledged them; that the States-General had done the same on the 19th of April, 1782; that Great Britain, on the 30th of November, 1782, had signed with them a treaty of peace, in which she had fully acknowledged their sovereignty; that Sweden had entered into a treaty with them on the 5th of February, 1783; and that Great Britain had

concluded the definitive treaty under the mediation of the two Empires, if that should be the fact, &c. Such a notification to all the other Powers would be a regular procedure, a piece of politeness, which would be very well received, and the letter would be respectfully answered by every Power in the world, and these written answers would be explicit and undeniable acknowledgments of our sovereignty.

It might have been proper to make this communication in form, immediately after the Declaration of Independence; it might have been more proper to do it after the signature of the provisional treaty but that it was expected it would be done after the definitive treaty. That these circular letters might be transmitted to your Ministers for peace, or such of them as may remain, or to any of your Ministers in Europe, to be by them delivered to the Ministers at the Court where they are, or transmitted any other way. That Congress must be very exact in the etiquette of titles, as this was indispensable, and the letters could not be answered nor received without it. That we might have these titles at the Count de Vergennes's office with precision, &c.

The Count then proceeded to commerce, and said, that all the Cabinets of Europe had lately turned their views to commerce, so that we should be attended to and respected by all of them. He thought we should find our account in a large trade in Italy, every part of which had a constant demand for our tobacco and salt fish, at least. The dominions of the King, his master, could furnish us in exchange, oranges, citrons, olives, oil, raisins, figs, anchovies, coral, lead, sulphur, alum, salt, marble of the finest quality and gayest colors, manufactures of silk, especially silk stockings, twenty per cent. cheaper than France, hemp, and cordage. He said we might have great advantages in Italy in another respect. We had it in our power to become the principal carriers for the people of Italy, who have little skill or inclination for navigation or commerce. The (*cabotage*) carrying-trade of Italy had been carried on by the English, French, and Dutch; the English had now lost it, the French had some of it, but the Dutch the most, who made an immense profit of it; for to his knowledge they sold in the Baltic, and even in Holland, many Italian productions, at a profit of five or six for one. That we should have the advantage of them all. By bringing our tobacco and fish to Italy we might unload at some of

their ports, take in cargoes upon freight for other ports of Italy, and thus make coasting voyages, until we had made up our cargoes for return, or we might take in cargoes on freight for Germany or the Baltic. The Dutch, he said, would be the greatest losers by this rivalry, but as long as the Italians and Americans would be honestly gainers, neither need be anxious for that. That there was a very good port in his master's dominions, which was perfectly free, where we might go in and out at pleasure, without being subject to duties, searches, or visits.

We then made a transition to Turkey; the Count could not, for his part, blame the Emperor for wishing to open the navigation of the Danube; his kingdom of Hungary was one of the finest countries in the world; it was one of the most fertile, producing in great abundance wines of various sorts, all excellent, though Tokay was the best; grains of every sort in great quantities, metals of all sorts, gold, silver, copper, iron, quicksilver; yet all these blessings of nature were rendered in a manner useless by the slavery of the Danube. The Emperor was very unfortunate, in having the Danube enslaved on one side, and the Scheldt on the other; and in this age, when the liberty of navigation and commerce was the universal cry, he did not wonder at his impatience under it. He did not think that England would meddle in the dispute, as her trade to the Levant had declined. The Dutch had some still, but France had now the greatest part of it to Smyrna, Alexandria, Aleppo, in short, to all the trading towns of Turkey in Asia, for this is what is understood by the Levant trade. France, he thought, could not venture to engage in the war in earnest, in the present state of her finances.

I have learnt, since I came here, that France is desirous that this Republic should declare herself concerning this Turkish war. But she will avoid it. Unhappily, France has lost much of her influence here. Her friends fear that the odium of losing Negapatnam will fall upon them among the people. The English and the Stadtholders are endeavoring to detach the Republic entirely from France, and to revive the ancient connexions, particularly the ancient alliance, offensive and defensive, in the treaty of 1674. A Mr. Shirley, at Paris, has lately proposed to M. Boers and M. Van der Pere, two agents of the Dutch East India Company, who have been a year or two at Paris, and are reputed to be in the Stadtholder's interest, that England had the best dispositions towards the Republic

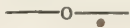
and would give them ample satisfaction if they would treat distinctly from France, and renew the ancient cordial friendship, and proposed an interview with the Dutch Ambassadors upon this subject. The agents proposed it, but Brantzen refused, to the great satisfaction of the principal republicans. Yet M. Berenger tells me that some of the republican members begin to be afraid, and to think they shall be obliged to fall in with the English.

Upon conversing with many people in the Government and out of it, in Amsterdam as well as the Hague, they all complain to me of the conduct of France. They all confess that the Republic has not done so much in the war as she ought, but this is the fault of the friends of England, they say, not those of France, and the worst evils of all that befall the latter, are the reproaches of the former, who now say insultingly, "this comes of confiding in France, we always told you that you would be cheated," &c. France ought, they say, to have considered this, and not have imputed to the Republic the faults of her enemies, because the punishment falls wholly on her friends.

I mention these things to you, because, although we are not immediately interested in them, they may have consequences which may affect us; and, therefore, you ought to know them. I think, however, upon the whole, the Republic will stand firm, and refuse to receive the alliance, though they sacrifice Negapatnam. France wishes to win the Republic into an alliance, but feels an awkwardness about proposing it, and, indeed, I doubt whether she would now succeed; she might have succeeded heretofore. But, in plain English, sir, the Count de Vergennes has no conception of the right way of negotiating with any free people, or with any assembly, aristocratical or democratical. He cannot enter into the motives which govern them; he never penetrates their real system, and never appears to comprehend their constitution. With empires, and monarchs, and their Ministers of State, he negotiates aptly enough.

I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, August 1st, 1783.

Sir,

I had last evening some conversation with D. Joas Theolonico de

Almeida, the Envoy Extraordinary of Portugal, who desired to meet me to-day at any hour at his house or mine. I promised to visit him at twelve, which I did.

He said he had heard that the French Minister had proposed to the Duke of Manchester, at Versailles, to reduce the duties upon French wines in England to the level of those upon Portugal wines, and begged of me to inform him if it were true, because, if it were, Portugal must endeavor to indemnify herself by opening a trade with America, or some other way, for such a project will be ruinous to the sale of their wines in England, which was their only market. I answered that I had heard of such a project among multitudes of others in private conversation, but knew no authority for it. We have a treaty, says he, made in 1703, by which we have stipulated with the English to permit the importation of their cloths, upon condition that they allow the importation of Portugal wines upon paying one third of the duty upon French wines; if they violate the treaty, says he, we shall be rid of it.

I asked him if his Court permitted the English, or any other nation, to go to the Brazils? In the last century, said he, between 1660 and 1670, we did agree with Charles the Second, who married a daughter of Portugal, that the English should go to the Brazils, and after that the Dutch sued for permission to go there too, and we granted it. But we found it inconvenient, and in 1714 or 1715, at the treaty of Utrecht, we agreed upon an article with Spain to exclude all nations from the Brazils, and as the English Ambassadors were there, we have since held that nation bound, and have confiscated their vessels as well as the Dutch which venture there. The English have sometimes made strong remonstrances, but we have always told them, if we admit you we must admit the Dutch too, and such has been their jealousy of the Dutch, and dread of their rivalry, that this has always quieted them, choosing rather to be excluded themselves, than that the Dutch should be admitted. So that this commerce has been a long time carried on in Portuguese ships only, and directly between the Brazils and Lisbon.

I asked him whether we might not have free communication with all their Western Islands, and whether one or all of them might not be made a depot for the produce of the Brazils, so that Portuguese ships might stop and deposit cargoes there, and American vessels take them? He said he would write about it to his Court by the

next post. At present, Brazil communicated only with Lisbon, and, perhaps, it might be difficult for Government to secure the duties at the Western Islands. I asked if there were any refineries of sugar at Lisbon? He said none. Their sugars had all been brought here by the Dutch for refining; that all their carrying-trade with other parts of Europe had been carried on by the English and Dutch; that their mercantile navigation (*marine marchand*) before this war, had been upon a very poor footing, but it was now much changed, and they began to carry on their trade in their own vessels. I observed, if their trade should continue to be carried on by others, it must be indifferent to them whether it were done in English, Dutch, or American vessels, provided it was done to their equal advantage. But if they should persist in the desire to conduct it in their own vessels, they might purchase ships ready built in America cheaper than they could build them or buy them elsewhere. All this, he said, was true. That they could supply us with sugars, coffee, cocoa, Brazil wood, and even with tea, for they had an island called Macao, near China, which was a flourishing establishment, and sent them annually a good deal of tea, which the Dutch usually bought very cheap at Lisbon to sell again.

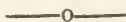
He asked whether Portugal wines had been much used in America. I answered that Port wines, common Lisbon, and Caracavalles, had been before the war frequently used, and that Madeira was esteemed above all other wine. That it was found equally wholesome and agreeable in the heats of summer and the colds of winter, so that it would probably continue to be preferred, though there was no doubt that a variety of French wines would now be more commonly used than heretofore. He said they should have occasion for a great deal of our fish, grain, and perhaps ships or ship-timber, and naval stores, and other things, and he thought there was a prospect of a very beneficial trade with us, and he would write largely to his Court upon it. I replied that I wondered his Court had not sent a Minister to Philadelphia, where the members and Ministers of Congress, and even the merchants of the city might throw much light upon the subject, and assist in framing a treaty to the greatest possible advantage for both countries. He said he would write for a commission and instructions to negotiate a treaty with me. I told him that I believed his Court had already instructed their Ambassador at Versailles to treat with Dr. Franklin; but that I thought that Phil-

adelphia or Lisbon were the proper places to treat, and that I feared mutual advantages might be lost by this method of striking up a bargain in haste in a distant country, between Ministers who could not be supposed to have made of commerce a study.

In a letter from Paris yesterday, I am informed that a project of a treaty with Portugal, and another with Denmark, are to go home by Captain Barney.* These projects have never been communicated to me, nor to Mr. Jay. I hope that Congress will not be in haste to conclude them, but take time to inform themselves of everything which may be added to the mutual advantage of the nations and countries concerned. I am much mistaken if we have not lost advantages by a similar piece of cunning in the case of Sweden.

With great respect and esteem, I have the honor to be, &c.,

JOHN ADAMS.



TO ROBERT R. LIVINGSTON.

The Hague, August 2d, 1783.

Sir,

M. Berenger, the Secretary of the French Legation, has this moment left me. He came in to inform me of the news. The Empress of Russia has communicated to the King of Prussia a treaty of alliance between the Emperor of Germany and her, defensive against the Christian Powers and offensive against the Turks. The King of Prussia has answered her "that he is very sensible upon this communication, as one is upon the communication of things of great importance." Thus wrapped up in an impenetrable reserve is this great warrior and statesman. We may discern by this answer what all the world would know without it, viz: that his Majesty has no joy in this new alliance. Still he expresses no sorrow; and maintains a perfect liberty to take which side he will, or neither, at his pleasure, and the same reserve he will probably hold to the end of the war.

M. Berenger says if Prussia is neutral France must be so too, for she cannot cope by land with the two empires; that this Republic is

* For these treaties, and some account of them, see Franklin's Correspondence, Vol. II. pp. 446, 447, 458, 465, 472.

desired to declare, but does not choose it; that they are dissatisfied, and the republicans murmur a good deal, and are wavering, and that the other party will do nothing; that England hitherto has favored an accommodation between Russia and the Turks; that the British Ambassador at Constantinople has coöperated with the French to bring about an accommodation; that the Turks have offered Russia the free navigation of the Black sea and passage of the Dardanelles, and the same with a free navigation of the Danube to the Emperor, but they will not accept it, but are determined to drive the Turks from Europe; that France has determined to put her army upon a war footing, because it has been much neglected during the late war; that he believes France and Spain will shut the Mediterranean against a Turkish fleet, as Russia, Sweden, and Denmark excluded warlike vessels from the Baltic in the last war; that this state of things gives him great pain, and must embarrass the Count de Vergennes. It is a great and difficult question, whether France should take a side. If she does not, and the Empires should prevail, it will be an immense aggrandizement of the House of Austria, which, with Russia, will become two great maritime Powers; that England will act an insidious part; pretend to favor peace, secretly foment war, and join in at the end, if she sees a favorable opportunity to crush France. These are sensible observations of M. Berenger, who added that a new difficulty in the way of the definitive treaty had arisen between England and Spain, respecting the Mosquito shore, so that more couriers must go and return.

I confess myself as much in pain at this state of things as M. Berenger, and, therefore, I wish most ardently that we may omit no proper means of settling our question with every Court in Europe, and especially our plan of commerce with Great Britain. If this is too long left in uncertainty, the face of things may soon change, so as to involve us in the complicated, extensive, and long war, which seems to be now opening.

The prospect of returning to Paris, and living there without my family, in absolute idleness, at a time when so many and so great things want to be done for our country elsewhere, is very disagreeable. If we must live there, waiting for the moving of many waters, and treaties are to be there negociated with the Powers of Europe, or only with Denmark and Portugal, I pray that we may all be joined in the business as we are in the commission for peace, that, at

least, we may have the satisfaction of knowing what is done, and of giving a hint for the public good, if any one occurs to us, and that we may not be made the sport and ridicule of all Europe, as well as of those who contrive such humiliations for us.

With the greatest respect, I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO ROBERT R. LIVINGSTON.

The Hague, August 3d, 1783.

Sir,

The fiscal systems of the Powers of Europe have such an ill influence on commerce, that they deserve the serious attention of Congress and their Ministers, whenever they have under consideration a treaty with any foreign Power. In conversation yesterday with M. d'Asp, the *Chargé d'Affaires* of Sweden, I inquired of him what imposts were payable in their ports upon the importation and exportation of merchandizes, and observed to him that I had lately seen in the gazettes, that the King had taken off certain duties upon the importation of merchandizes from America, in Swedish ships. He agreed that such a thing had been done. This ought to alarm us. All the Powers of Europe who are called neutral, have felt a sudden increase of their navigation in the course of the late war, and the profits they have made have excited a desire to augment it still further. If they should generally exact duties of our ships, and none of their own upon the importation of our produce, this will be as great a discouragement to our navigation as it will be an encouragement to theirs. Whether this has been attended to in the treaty with Sweden I know not, for I have not seen it. But it ought to be carefully considered by those who negotiate the treaties with Denmark and Portugal, the Emperor and Empress, and all other Powers. We have a good right to insist that no distinction shall be made in their ports between their ships and ours; that we should pay in their ports no higher duties than they pay in ours.

I should think it therefore advisable for Congress to instruct their negociators to endeavor to obtain equity in this respect. This is the time for it, if ever. If we cannot obtain it by negotiation, we must think and talk of doing ourselves justice by making similar distinctions in our own ports between our vessels and theirs. But here

again comes in the difficulty of uniting our States in such measures ; a difficulty which must be surmounted, or our commerce, navigation, and marine will still be ruined, notwithstanding the conservation of the fisheries. It deserves to be considered by whom this new method of huddling up treaties at Paris is contrived, and for what purposes. It may well be conjectured, that it is done with the secret intention of preventing these things from being attended to ; for there are persons who had rather that any other people should have navigation than the Americans. I have good reason to believe that it was known at Versailles, that Mr. Dana had well digested his thoughts upon this subject, which was reason enough for some people to endeavor to take Sweden out of his hands, in whose department it was. Their success is much to be lamented.*

I had yesterday and the day before long conversations with the Baron Van der Capellen de Pal and M. Gyselaer. They both complain to me, in the most pathetic terms, of the cruel situation of the friends of America and France in this Republic. They both say that they are looking round every way like drowning men for support. The Province of Friesland, their great dependence, wavers, and many of their fellow-laborers are discouraged. They both inquired of me very earnestly if closer connexions could not be formed with us ; if we could not agree to warrant to each other the liberty of navigation, or enter into an alliance, offensive and defensive. They see they shall be obliged to make a shameful peace, and that the blame of it will fall upon them, which will give a triumph to the Court, and put their persons even in danger. They say the King of France, by his Ambassador, in July, 1782, gave them a positive assurance that he would never separate his cause from theirs. In consequence of this, they had instructed their Ambassadors never to separate their cause from his. On their part the agreement had been sacredly observed, but not on the other. With Great Britain enraged against them, with a formidable party in the Republic furious against them, with the King of Prussia threatening them, and abandoned by France, their prospects are, they say, as disagreeable as can be conceived.

* The plan of the treaty with Sweden was sent out to Dr. Franklin by Congress, and adopted with hardly a verbal alteration. See the plan, and the treaty as adopted, in the Secret Journals of Congress, Vol. 3, pp. 227-369.

There are many appearances of designs to excite the people to seditions, and I think it probable that the Court of London studies delays of the definitive treaty in this hope. I still believe, however, that the people will be wise and the Republic firm, and submit to the immense losses of the war, and that of Negapatnam, rather than renew their old submission to the Court and to England.

I have the honor to be, &c.,

JOHN ADAMS.

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TO ROBERT R. LIVINGSTON.

Paris, August 10th, 1783.

Sir,

On the 6th I left the Hague, and last night arrived here. I had several interviews, on some of the last days at the Hague, which I had not time to give you an account of, as a great part of my time was taken up with visits to take leave of the Court, the President, the Grand Pensionary, Greffier, &c., ceremonies which must be repeated at every coming and going, and upon many other occasions, to the no small interruption of business of more importance.

I asked the Count de Sanafée, the Spanish Minister, with whom I have always lived upon very good terms, whether it might not be possible to persuade his Court, that it would be good policy for them to allow to the citizens of the United States of America a free port in some of their islands at least, if not upon the continent of South America? He said he did not know; that he thought, however, his Court would be afraid of the measure, as free ports were nests of smugglers, and afforded many facilities of illicit trade, (*le commerce interlope*.)

I asked him further, whether measures might not be taken at Madrid, to the end that the sugars, coffee, cocoa, &c., of their Colonies might be carried to the free ports of France, Holland, and Denmark, in the West Indies, or one of them, in Spanish vessels, that they might be there purchased by Americans? He said he was not able to foresee any objection against this. I asked him again what objections there could be to admitting American vessels to the Spanish Islands of Cuba and Hispaniola, to carry their produce and purchase molasses, as they did in the French and Dutch Colonies. Such a commerce would be useful and profitable both to

them and to us. He said that he could not pretend to give any opinion upon any of these points. But that we must negotiate them at Madrid. I hope Congress will instruct their Minister at the Court of Madrid to propose all these things, and endeavor to obtain them.

The Portuguese Envoy, Don Almeida, returned my visit, and brought with him a copy of the treaty between Spain and Portugal, made at Utrecht in 1715. This treaty was signed under the warranty of Great Britain, and one article of it is, that each nation shall confine the commerce with its possessions in America to its own subjects. I had much satisfaction in the conversation of this Minister, who, though a young man, appears possessed of more than common intelligence, and a desire to inform himself of every thing which can affect his nation. He is, as he told me, a nephew of the present Prime Minister at the Court of Lisbon. He says that the *King his master* (a style which they continue to use, although the Queen is the Sovereign, and her husband is but her subject) allows but sixty thousand Dutch guilders a year to his Ambassador at Versailles, which not being sufficient for his expenses at that Court, he is continued there because he is very rich ; but that he is not a man of business.

He again enlarged upon the subject of Portuguese navigation, which has been prettily increased (*tres joliment augmenté*) during the late war, and would have been still doubled if the war had continued another year ; that their merchants and mariners had pushed their navigation with more spirit than skill ; had sent their wines and other things in prize vessels purchased in France and Spain all over Europe ; but that their seamen not being experienced, many vessels had been lost, so that the price of insurance was ten per cent. with them when it was not more than three or four with other neutral nations ; that the profits had nevertheless been so considerable, as to excite a strong inclination still to increase their shipping and carrying trade. These observations are worth repeating to Congress, because all the other neutral Powers have felt a like advantage. The commerce of the Northern Powers was so increased, and had turned the course of business that way to such a degree as occasioned to the Danish Minister at Versailles, for example, a loss of forty per cent. upon his salary. So much was exchange affected.

The late belligerent Powers, having observed this sudden increase of the commerce of the neutrals, and that it was owing to the sudden growth of their navigation, are alarmed. So that the attention of all the commercial nations is now turned to navigation, carrying trade, coasting trade, &c., more than ever. We should be apprized of this, and upon our guard. Our navigation and carrying trade is not to be neglected. We have great advantages for many branches of it, and have a right to claim our natural share in it.

This morning I went out to Passy, and found from Dr. Franklin and Mr. Jay, that nothing farther had been done since my departure but to deliver to Mr. Hartley a fair copy of the project of a definitive treaty, which I had left with my colleagues; that Mr. Laurens had been here in my absence, and returned to England; that he was of opinion the present British Ministry would not remain a fortnight; that Mr. Hartley had been seven weeks without a letter from his principals, and then received only an apology for not having written, a promise to write soon, and authority to assure the American Minister that all would go well. These last are words, of course. There are but three ways in which I can account for this conduct of the British Ministry. 1st. The fact is, that they foresee a change, and do not choose to committ themselves, but wish to reserve every thing for the foundation of a future opposition, that they may attack the definitive treaty which may be made by a future Ministry, as they attacked the provisional and preliminary one made by the last. 2dly. That they are exciting secretly and insidiously the troubles in the north, in hopes of involving France, and then assuming a higher tone. 3dly. That they are in expectation that seditions may be excited in Holland, and the Dutch induced to renounce France, and renew the ancient alliance with England.

I see no more appearance of the definitive treaty than I have done these six months. Mr. Hartley, I am told by Mr. Jay, thinks that the French Court wish to delay the signature; that they do not wish to see the peace finished between England and America, while matters are uncertain in the north. There are so many considerations on both sides of the question whether the French Minister wishes to finish soon or not, that it is hard to decide it. Neither Court possibly is very zealous to finish while so great a scene as the northern war lies under so much obscurity.

I have the honor to be, &c.,

JOHN ADAMS.

TO ROBERT R. LIVINGSTON.

Paris, August 13th, 1783

Sir,

Yesterday I went to Court with Dr. Franklin, and presented to the Count de Vergennes our project of a definitive treaty, who told us he would examine it and give us his sentiments upon it.

It was Ambassadors' day, and I had conversations with a number of Ministers, of which it is proper I should give you an account.

The Dutch Ambassador, Berkenrode, told me that last Saturday the Count de Vergennes went to Paris and dined with the Imperial Ambassador, the Count de Mercy, in company with the Duke of Manchester, the Count d'Aranda, the Prince Bariatinski, and M. Markoff, with their Secretaries; that after dinner the Secretaries in presence of all the Ministers read over, compared, and corrected the definitive treaties between France and Great Britain, and between Spain and Great Britain, and finally agreed upon both. So that they are now ready for signature by the Ministers of Great Britain, France, and Spain as principals, and by those of the two Imperial Courts as mediators.

The Duke of Manchester told me that Mr. Hartley's courier, who carried our project of a treaty, arrived in London last Saturday, and might be expected here on next Saturday on his return.

In the evening, on my return from Versailles, Mr. Hartley called upon me at my house, and informed me that he had just received a courier from Westminster, who had brought him the ratification of our provisional treaty under the King's own hand, and under the great seal of the kingdom, enclosed in a silver box, ornamented with golden tassels as usual, which he was ready to exchange to-morrow morning. He informed me farther, that he had received very satisfactory letters from the Duke of Portland and Mr. Fox, and the strongest assurances that the dispositions of his Court were very good to finish immediately, and to arrange all things upon the best footing; that he had farther received plenary authority to sign the definitive treaty to-morrow, or to-night if we pleased; that he had received a draft ready formed which he would show us.

We agreed to go together in the morning to my colleagues, and this morning we went out in Mr. Hartley's carriage, exchanged the

ratifications, and he produced to us his project of a definitive treaty. It is the provisional treaty in so many words, without addition or diminution. It is only preceded with a preamble, which makes it a definitive treaty. And he proposed to us, that all matters of discussion respecting commerce or other things should be left to be discussed by Ministers, to be mutually appointed to reside in London and Philadelphia. We told him that it had been proposed to us that the Ministers of the two Imperial Courts should sign the treaty as mediators, and that we had answered that we had no objection to it.

He said he had unanswerable ones. First, he had no authority, and could not obtain any certainly under ten days, nor probably ever. For, secondly, it would, he thought, give great offence to his Court, and they never would agree that any nation should interfere between them and America. Thirdly, for his part, he was fully against it, and should write his opinion to his Court. If he was about to marry his daughter, or set up a son in the world after he was of age, he would never admit any of his neighbors to interfere and sign any contract he might make as mediators. There was no need of it.

We told him there was no need of warmth upon the occasion, or any pretence for his Court to take offence; that it had been proposed to us that the Imperial Ministers should sign as mediators. Our answer had been, that we had no objections, that we were willing and ready to consent to it, or even to request it. His Court had a right to consent or dissent as it thought proper. To be sure, the mediation could not take place without their consent. That he might write to his Court the proposition, and if he received orders to consent or dissent, it would be equally well. In the meantime, we were ready to sign the definitive treaty either with or without the mediation, whenever the other parties were ready to sign, according to his project just received from his Court, that is, simply a repetition of the provisional treaty.

We have agreed to this because it is plain that all propositions for alterations in the provisional articles will be an endless discussion, and that we must give more than we can hope to receive. The critical state of things in England and at the Court of Versailles, and in all the rest of Europe, affords pressing motives to get this business finished.

Mr. Hartley told us from his Court, that they had expected an American Minister at St. James's these three months, and that all further matters might be there discussed.

He also announced to us the birth of another Princess, the fifteenth child of the Queen, upon which event he received our congratulations, which I hope Congress will approve and repeat by their Minister in London ; for these personal and family compliments are more attended to in Courts, and have greater effect than may be imagined.

I lament very much that we cannot obtain an explanation of the article respecting the refugees, and that respecting debts ; but it is plain, we must give more than they are worth for such explanations ; and what is of more decisive importance, we must make a long delay, and put infinitely greater things at hazard by this means.

I have the honor to be, &c.,

JOHN ADAMS.

TO ROBERT R. LIVINGSTON.

Paris, August 13th, 1783.

Sir,

The question before the French Cabinet, whether they shall involve themselves in a war against two Christian Empires, in order to support a Turkish one, is of a serious nature on many accounts. If the Turks should be driven out of Europe, France would lose some of the Levant trade, and some of the coasting trade of Italy ; and these commercial and naval considerations are enforced by others, which lie deeper in the human heart, the ancient rivalry between the great Houses of Bourbon and Austria, and between the vast countries of Germany and France, and between all the lesser Powers which depend upon them. To these considerations is to be added, that an Austrian Princess is now upon the throne of France, to whom it is no doubt a melancholy consideration, that there is danger of a war between a husband and a brother.

The city politicians are looking out for alliances with Prussia, Holland, and even England, but can find none. It cannot be expected that either will engage ; yet the French Minister has gone far towards compromising his master, by augmenting the army to a war establishment, and by threatening to shut up the Mediterranean sea.

In this posture of affairs, it is not surprising that there should be a fermentation at Versailles, and since my return to Paris, I find it is the general topic of conversation. Monsieur de Breteuil, late Ambassador to the Court of Vienna, who is supposed to be esteemed by the Queen, and connected with her friends, is lately, about a fortnight ago, called to the King's council, and the Maréchal de Castries, who is in the same interest, is said to be new-modelling the subordinate offices in his department.

From these and many other considerations, it is generally concluded that Count de Vergennes's continuance in the Ministry is precarious. Mr. Hartley last night and to-day began conversation with me upon the subject, and is very sanguine that his Minister will continue in place but a very short time, and assures me that the Duke of Manchester is of the same opinion. I pretend to form no opinion, because I have ever carefully avoided conversations and connexions, which might be misinterpreted into an attachment to persons or parties in this Kingdom.

I know that for the last nine months, many sensible people have thought this Minister in a tottering situation; others think he will weather out the storm, which all people agree is preparing for him. Time will discover. One thing is agreed on all hands, that he is not in favor with the Queen, and as he has taken up the cause in a pretty high tone against the Emperor and Empress, if he should be now displaced, Congress, I think, may infer from it, that France will not take a part in the war; on the contrary, if he remains, it is probable she will.

I have the honor to be, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, August 13th, 1783.

Sir,

Yesterday at Versailles, the Baron de Walterstorff came to me, and told me he had delivered to Dr. Franklin a project of a treaty between the Court of Denmark and the United States, and asked me if Dr. Franklin had shown it to me. I answered him that I knew nothing of it. He said he wondered at that, he presumed it was because of my absence at the Hague, for that it had been shown

to Mr. Jay. There, by the way, he was misinformed, for upon my return from Versailles I called upon Mr. Jay, on purpose to ask him, and he assured me he had not seen it. I asked Walterstorff if his orders were to propose his project to us all. He said no, this Court had been informed that Dr. Franklin was the Minister authorised and empowered by Congress to treat with all the Powers of Europe, and they had for this reason sent him orders to deliver the project to Dr. Franklin, but he supposed Dr. Franklin would consult his colleagues. The same information, I doubt not, has been given to the Court of Portugal, and every other Court in Europe, viz: that Dr. Franklin is alone empowered to treat with them; and in consequence of it, very probably, propositions have been or will be made to him from all of them, and he will keep the whole as secret as he can from Mr. Jay, Mr. Laurens, Mr. Dana, and me.*

Now, I beg to be informed by Congress whether he has such authority or not? Having never been informed of such powers, I do not believe he has them. I remember there was seven years ago a resolution of Congress that their Commissioners at Versailles should have power to treat with other Powers of Europe; but upon the dissolution of that commission this authority was dissolved with it; or if not, it still resides in Mr. Deane, Mr. Lee, and myself, who were once in that commission, as well as Dr. Franklin. And if it is by virtue of this power he acts, he ought at least to communicate with me, who alone am present. I think, however, that neither he nor I have any legal authority, and therefore that he ought to communicate every thing of this kind to all the Ministers here or hereabout, Mr. Jay, Mr. Laurens, and myself, at least.

It is not from the vain wish of seeing my poor name upon a treaty, that I write this. If the business is well done, it is not of much importance in itself who does it.

But my duty to my country obliges me to say, that I seriously believe this clandestine manner of smuggling treaties is contrived by European politicians, on purpose that Mr. Jay and I may not have an opportunity of suggesting ideas for the preservation of American

* Franklin did not assume this authority, but reported to Congress that propositions for treaties had been made, and desired that authority to conclude them might be sent to him, or *some other person*. See on this subject, Franklin's Correspondence, Vol. II. pp. 417, 433, 435, 443, 446, 466. For the treaty with Sweden, he had a special authority. *Secret Journals*, Vol. III, p. 240.

navigation, transport trade, and nurseries of seamen. But in another point of view it is of equal importance. This method reflects contempt and ridicule on your other Ministers. When all Europe sees that a number of your Ministers are kept here as a kind of satellites to Dr. Franklin in the affair of peace, but that they are not to be consulted or asked a question, or even permitted to know the important negociations which are here going on with all Europe, they fall into contempt. It cannot be supposed that Congress mean to cast this contempt upon us, because it cannot be supposed they mean to destroy the reputation, character, influence, and usefulness of those to whom in other respects they intrust powers of so much consequence; and therefore I am persuaded that Congress is as much imposed on by it as the Courts of Europe are.

I asked the Baron what was the substance of the treaty. He said his Court had taken for a model my treaty with Holland. I said nothing to him in answer to this, but I beg leave to say to Congress that the negociation with Holland was in very different circumstances. We were then in the fiercest rage of the war. A treaty with that Republic was at that time of as much weight in the war as the captivity of Burgoyne or Cornwallis. A treaty with any Power was worth a battle or a siege, and no moments of time were to be lost, especially in a country so divided that unanimity being necessary, every proposition was dangerous. At present the case is altered, and we may take time to weigh and inquire. The Baron tells me that St. Thomas and St. John, two of their islands, are free ports, but that St. Croix, which is of more importance than both, is not. That foreign vessels, our vessels, are permitted to bring our produce, and carry away half the value in sugar, &c. The island produces, *communibus annis*, twenty thousand hogsheads of sugar, and their molasses is better than that of the French, because they make only "*sucres crutes*." He says they have some sugar-houses at Copenhagen. But notwithstanding this, I think it is worth while for Congress to try if they cannot by the treaty obtain a right to take away cargoes to the full value of those they bring. It is worth while to try too, if we cannot obtain a tariff, to ascertain the duties to be paid in exportation and importation. It is worth while, too, to endeavor to get the duties ascertained in the Danish ports in Europe, at least that we may not pay in their ports more than they pay in ours; or that our vessels may not be obliged to pay more than

theirs, especially when we import our own produce. I pretend not to be a master of these commercial subjects, but I think that Dr. Franklin has not studied the subject more than myself, that both of us need the advice of Mr. Laurens and Mr. Jay, and that all of us want that of American merchants, and especially of Congress. I am therefore against this secret and hasty method of concluding treaties, at this time, when they may be more maturely reflected on.

I know very well to what ill-natured remarks these reflections are liable, but they shall not hinder me from doing my duty. I do sincerely believe there are clandestine insinuations going about to every commercial nation in the world, to excite them to increase their own navigation and seamen at the expense of ours, and that this smuggling of treaties is one means of accomplishing the design, although Dr. Franklin may not be let into the secret of it. For, from long experience and observation, I am persuaded that one Minister at least and his dependants would prefer that the navigation of any nation in the world, even that of the English, should grow, rather than ours. In the last *Courier de l'Europe*, it is said that all the commercial Powers are concerting measures to clip the wings of the eagle, and to prevent us from having a navy. I believe it. That is to say, I believe measures are taken with them all to bring them into this system, although they are not let into the secret design, and do not know from whom the measures come, nor with what views promoted.

With great regard, I have the honor to be, &c.,

JOHN ADAMS.

—O—

TO ROBERT R. LIVINGSTON.

Paris, August 15th, 1783.

Sir,

France, England, Spain, and America are all agreed; but Mr. Hartley is sanguine that the treaty will not be signed, because, he says, the Count de Vergennes does not mean to sign it. His reasons for this opinion I know not, and I think he is mistaken. It is very certain, however, that the French Minister is embarrassed, and would not, perhaps, be sorry to find good reasons for postponing the signature for some time.

Congress may judge in some degree of the situation of things, by

the following conversation, which I had this morning with M. Brantzen, the Ambassador Extraordinary from the States-General, to whom I returned the visit he made me yesterday, when I was abroad :

He told me "that he was as far, and indeed farther than ever, from an agreement with the Duke of Manchester. He had given up," he said, "all pretensions to a compensation for the unjust damages of the war, and he had in a manner waived his claim of the restitution of Negapatnam. But the Duke of Manchester now insisted peremptorily upon not only all the ancient salutations from the Dutch flag to the English, but upon an unlimited liberty of navigation in all the seas of the East Indies. He had despatched an express to the Hague the day before yesterday, who would arrive to-day ; but the Grand Pensionary was sick, and the States of Holland not sitting ; so that there must be some time before he could have an answer. Concerning the salutes to the flag, there would be different opinions, but they would be all of a mind against the liberty of navigation in the Indies. He could not, therefore, expect from their High Mightinesses permission to sign, and the Count de Vergennes would be embarrassed. All the other Powers were ready, and to make them wait would raise a cry.

"To sign without Holland would raise a terrible storm in Holland against the Count, and no small one in France. And even if the States should authorise him to sign a shameful peace, this would raise no less clamor in Holland and France against the Count. He will, therefore, not know what to do, and will seek to postpone ; for the parties of the Marquis de Castries and of M. de Breteuil will take advantage of every clamor against the Count, as these parties wish M. de Breteuil in his place. I am persuaded, therefore, that the Count himself looks upon his own situation as very hazardous. It has been so a long time. It was his inability in his place that made him sign the preliminaries, money to carry on the war could not be obtained without M. Necker, and M. Necker would not come in with the Count, as they were and are sworn enemies to each other. He was, therefore, reduced to the dilemma to make peace or go out. I have good reasons to believe that the Maréchal de Castries disapproves of the Count's conduct towards our Republic. He certainly deceived me. The States-General did very wrong to bind me to leave so much to the French Minister ; but I thought him

an honest man, and that I could trust him; so I left things to him, according to my instructions, depending on his word, and, at last, I found myself the dupe. No, not a dupe, for I am always upon my guard not to be a dupe. But he deceived me; and when one, whom I have reason to believe an honest man, deceives me I cannot call myself a dupe, for I can do no other than believe an honest man, when he gives me his word."

In several of your letters, sir, you have insisted on my reciting to you my conversations with foreign Ministers. You must not esteem them infallible oracles. They are often mistaken in their facts, and sometimes wrong in their reasonings. But these sentiments of M. Brantzen are of so much importance that I thought proper to recite them. It will, indeed, be necessary for your foreign Ministers to be more inquisitive than we have been, and to transmit to Congress more information concerning the intrigues of Courts than we have done. If the Maréchal de Castries, and M. de Breteuil, who is now in the Council, and M. Necker are not friends to the Count de Vergennes—and all the world here agree they are not—Congress ought to know it. Although I would have so much respect to the Queen, as not to name her Majesty upon unnecessary occasions, yet upon this, when she is sister to the Emperor, and the question at Court is, whether there shall be a war with her brother, it is obviously a matter of so much importance as to make it a duty to communicate to Congress her sentiments, which all men here agree are favorable to de Castries and Breteuil, but not partial to the present Minister of Foreign Affairs. I said in a former letter, if this Minister continues, there will be war; but I am told by some, if there is war, he cannot continue; for neither he, nor his friends, can raise the money. M. de Rayneval, however, affirmed positively to Mr. Hartley that nothing but death could remove the Count.*

All these things ^{and} critical and uncertain constitution of this Court, and the uncertainty when the definitive treaty will be signed, notwithstanding that our Powers are agreed, and, therefore, I can give Congress no clear information upon that head. This is a great chagrin to me, both on account of the public and myself,

* This affirmation was verified. The Count de Vergennes continued in the Ministry till his death, which happened February 13th, 1787.

because I am as uncertain about my own destiny as that of the public.

With great respect, I have the honor to be, &c.,

JOHN ADAMS.

—o—

TO THE PRESIDENT OF CONGRESS.

Paris, September 5th, 1783.

Sir,

On Wednesday, the 3d day of this month, the American Ministers met the British Minister at his lodgings at the *Hôtel de York*, and signed, sealed, and delivered the definitive treaty of peace between the United States of America and the King of Great Britain. Although it is but a confirmation or repetition of the provisional articles, I have the honor to congratulate Congress upon it, as it is a completion of the work of peace, and the best that we could obtain. Nothing remains now to be done but a treaty of commerce; but this in my opinion cannot be negotiated without a new commission from Congress to some one or more persons. Time, it is easy to foresee, will not be likely to render the British nation more disposed to a regulation of commerce favorable to us, and therefore my advice is to issue a commission as soon as may be.

There is another subject on which I beg leave to represent to Congress my sentiments, because they seem to me of importance, and because they differ from many sanguine opinions, which will be communicated to the members of that Assembly from partizans both of England and France.

In the late deliberations concerning an acceptance of the mediation of the Imperial Courts, the British Minister refused it, and in the conferences we had with the Count de Vergennes upon this subject. it was manifest enough to me that he was not fond of our accepting it; for although he maintained a perfect impartiality of language, neither advising us for nor against the measure, yet at last, when it was observed that Mr. Hartley was averse to it, he turned to Dr. Franklin and said that we must agree with Mr. Hartley about it, with such a countenance, air, and tone of voice (for from these you must often collect the sentiments of Ministers) as convinced me he did not wish the mediation should take place.

It was not a subject which would bear insisting on either way. I therefore made no difficulty. But I am, upon recollection, fully of opinion that we should have done wisely to have sent our letter to the Imperial Ministers, accepting the mediation on our part. The signature of these Ministers would have given reputation in Europe and among our own citizens. I mention these, because I humbly conceive that Congress ought, in all their proceedings, to consider the opinion that the United States or the people of America will entertain of themselves. We may call this national vanity or national pride, but it is the main principle of the national sense of its own dignity, and a passion in human nature, without which nations cannot preserve the character of man. Let the people lose this sentiment, as in Poland, and a partition of their country will soon take place. Our country has but lately been a dependent one, and our people, although enlightened and virtuous, have had their minds and hearts habitually filled with all the passions of a dependent and subordinate people; that is to say, with fear, with diffidence, and distrust of themselves, with admiration of foreigners, &c. Now I say that it is one of the most necessary and one of the most difficult branches of the policy of Congress to eradicate from the American mind every remaining fibre of this fear and self-diffidence on one hand, and of this excessive admiration of foreigners on the other.

It cannot be doubted one moment that a solemn acknowledgment of us by the signature of the two Imperial Courts would have had such a tendency in the minds of our countrymen. But we should also consider, upon every occasion, how our reputation will be affected in Europe. We shall not find it easy to keep up the respect for us that has been excited by the continual publication of the exploits of this war. In the calm of peace little will be said about us in Europe unless we prepare for it, but by those who have designs upon us. We may depend upon it, every thing will be said in Europe and in the gazettes which any body in Europe wants to have repeated in America, to make such impressions upon the minds of our citizens as he desires. It will become us, therefore, to do every thing in our power to make reasonable and just impressions upon the public opinion in Europe. The signature of the two Imperial Courts would have made a deep and important impression in our favor, upon full one half of Europe as friends to those Courts, and upon all the other half as enemies.

I need not explain myself further. I may however add, that Americans can scarcely conceive the decisive influence of the Governments of Europe upon their people. Every nation is a piece of clockwork, every wheel is under the absolute direction of the sovereign as its weight or spring. In consequence of this, all that moiety of mankind that are subject to the two Imperial Courts and their allies, would, in consequence of their mediation, have been openly and decidedly our friends at this hour, and the other half of Europe would certainly have respected us more for this. But at present, the two Imperial Courts not having signed the treaty, all their friends are left in a state of doubt and timidity concerning us. From all the conversations I have had with the Count de Mercy and M. Markoff, it is certain that the two Courts wished, as these Ministers certainly were ambitious, to sign our treaty. They and their Sovereigns wished that their names might be read in America, and there respected as our friends. But this is now passed. England and France will be most perfectly united in all artifices and endeavors to keep down our reputation at home and abroad, to mortify our self-conceit, and to lessen us in the opinion of the world. If we will not see, we must be the dupes; we need not, for we have in our own power, with the common blessing, the means of every thing we want. There is but one course now left to retrieve the error, and that is to send a Minister to Vienna with power to make a treaty with both the Imperial Courts. Congress must send a Minister first, or it will never be done. The Emperor never sends first, nor will England ever send a Minister to America, until Congress shall have sent one to London.

To form immediate commercial connexions with that half of Europe, which ever has been, and with little variations ever will be, opposite to the House of Bourbon, is a fundamental maxim of that system of American politics which I have pursued invariably from the beginning of this war. It is the only means of preserving the respect of the House of Bourbon itself; it is the only means in conjunction with our connexions with the House of Bourbon already formed, to secure us the respect of England for any length of time, and to keep us out of another war with that kingdom. It is, in short, the only possible means of securing to our country that peace, neutrality, impartiality, and indifference in European wars, which, in my opinion, we shall be unwise in the last degree if we do not main-

tain. It is, besides, the only way in which we can improve and extend our commercial connexions to the best advantage.

With great respect, I am,

JOHN ADAMS.

—o—

TO ELIAS BOUDINOT, PRESIDENT OF CONGRESS.

Paris, September 8th, 1783.

Sir,

Yesterday morning Mr. Jay informed me that Dr. Franklin had received, and soon after the Doctor put into my hands, the resolution of Congress of the 1st of May,* ordering a commission and instructions to be prepared to those gentlemen and myself for making a treaty of commerce with Great Britain. This resolution, with your Excellency's letter, arrived very seasonably, as Mr. Hartley was setting off for London with information from us that our powers were executed.

I am very sensible of the honor that is done me by this resolution of Congress, and of the great importance of the business committed to our care; and shall not, therefore, hesitate to take a part in it. I can attend to this business, and at the same time have some care of your affairs in Holland; and in case the present loan should be full in the course of the next winter, I can open a new one either by going to Amsterdam, or by having the obligation sent to me in Paris to be signed. In this way, there will be no additional expense to the public, as I have informed M. Dumas that there must be no expense made at the Hague on my account, or on account of Congress, but that all his expenses must be borne by himself, or he must at least settle them with Congress. I have so much regard for this gentleman, and such an opinion of his worth and merit, that I cannot but recommend him upon this occasion to Congress for the commission of Secretary of that Legation, but as economy is and ought to be carefully attended to, I presume not to point out the salary which

* "Ordered, That a commission be prepared to John Adams, Benjamin Franklin, and John Jay, authorising them, or either of them in the absence of the others, to enter into a treaty of commerce between the United States of America and Great Britain, subject to the revisal of the contracting parties previous to its final conclusion; and, in the meantime, to enter into a commercial convention, to continue in force one year."

will be proper. There are so many ways of pillaging public men in Europe, that it will be difficult for Congress to conceive the expenses which are unavoidable in these countries.

If the principle of economy should restrain Congress from sending Ministers to Vienna, Petersburg, Copenhagen, and Lisbon, they will probably send a commission to Paris to negotiate treaties there, because I think it will appear to be of great importance, both in a political and commercial light, to have treaties with these Powers. If this should be the case, as three of us will be now obliged to attend at Paris the tedious negotiation with every Court, we can all at the same time and with the same expense, attend to the negotiations with the other Powers; which will afford to all an opportunity of throwing in any hints which may occur for the public good, and will have a much better appearance in the eyes of Europe and America. I do not hesitate, therefore, to request that if such a commission or commissions should be sent, that all your Ministers in Europe may be inserted in it. If the arrangement should make any difficulty in America, it will make none with me; for although I think there was good reason for the order in which the names stand in the new commission for peace, and in the resolution for a new commission for a treaty of commerce, that reason will not exist in any future commission.

Mr. Hartley's powers are sufficient to go through the negotiation with us, and I suppose it will be chiefly conducted at Paris, yet we may all think it proper to make a tour to London, for a few weeks especially, in case any material obstacle should arise. We are told that such a visit would have a good effect at Court and with the nation; at least, it seems clear it would do no harm.

With the greatest respect and esteem, I have the honor to be, sir, your most obedient and most humble servant,

JOHN ADAMS.

—O—

TO THE PRESIDENT OF CONGRESS.

Paris, September 8th, 1783.

Sir,

As the resolution of Congress of the 1st of May has determined it to be my duty to remain in Europe at least another winter, I shall

be obliged to say many things to your Excellency by letter, which I hoped to have had the honor of saying upon the floor of your house. Some of these things may be thought at first of little consequence, but time, and inquiry, and consideration, will show them to have weight. Of this sort is the subject of this letter.

The views and designs, the intrigues and projects of Courts, are let out by insensible degrees, and with infinite art and delicacy in the gazettes.

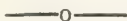
These channels of communication are very numerous, and they are artificially complicated in such a manner, that very few persons are able to trace the sources from whence insinuations and projects flow. The English papers are an engine by which every thing is scattered all over the world. They are open and free. The eyes of mankind are fixed upon them. They are taken by all Courts and all politicians, and by almost all gazetteers. Of these papers, the French emissaries in London, even in time of war, but especially in time of peace, make a very great use; they insert in them things which they wish to have circulated far and wide. Some of the paragraphs inserted in them will do to circulate through all Europe, and some will not do in the *Courier de l'Europe*. This is the most artful paper in the world; it is continually accommodating between the French and English Ministry. If it should offend the English essentially, the Ministry would prevent its publication; if it should sin against the French unpardonably, the Ministry would instantly stop its circulation; it is, therefore, continually under the influence of the French Ministers, whose under-workers have many things translated into it from the English papers, and many others inserted in it originally, both to the end that they may be circulated over the world, and particularly that they may be seen by the King of France, who reads this paper constantly. From the English papers and the *Courier de l'Europe*, many things are transferred into various other gazettes, the *Courier du Bas Rhin*, the *Gazette de Deux Ponts*, the *Courier d'Avignon*, and the *Gazette des Pays Bas*. The gazettes of Leyden and Amsterdam are sometimes used for the more grave and solid objects, those of Deux Ponts and d'Avignon for popular topics, the small talk of coffee-houses, and still smaller and lower circles.

All these papers and many others discover a perpetual complaisance for the French Ministry, because they are always in their power so

entirely, that if an offensive paragraph appears, the entrance and distribution of the gazette may be stopped by an order from Court, by which the gazetteer loses the sale of his paper in France, which is a great pecuniary object. Whoever shall hereafter come to Europe in any public employment, and take in the papers above enumerated, will acknowledge his obligations to me for mentioning them. He will find them a constant source of amusement, and sometimes of useful discoveries. I may hereafter possibly entertain Congress with some curious speculations from these gazettes, which have all their attention fixed upon us, and very often honor us with their animadversions, sometimes with their grave counsels, but oftener still with very subtle and sly insinuations.

With great respect, I have the honor to be, &c.,

JOHN ADAMS.



TO THE PRESIDENT OF CONGRESS.

Paris, September 10th, 1783.

Sir,

As I am to remain in Europe for some time longer, I beg leave to take a cursory view of what appears necessary or expedient to be further done in Europe; for I conceive it to be not only the right but the duty of a foreign Minister, to advise his Sovereign, according to his lights and judgments, although the more extensive information and superior wisdom of the Sovereign may frequently see cause to pursue a different conduct.

With Spain no doubt Congress will negotiate by a particular Minister, either the present one or another, and perhaps it would be proper that the same should treat with Naples. With the two Empires, Prussia, Denmark, Portugal, Sardinia, and Tuscany, I humbly conceive it might be proper to negotiate, and perhaps with Hamburg; but there are other Powers with whom it is more necessary to have treaties than it ought to be, I mean Morocco, Algiers, Tunis, and Tripoli.

I presume that Congress will not think it expedient to be at the expense of sending Ministers to all these Powers, if to any. Perhaps in the present state of our finances, it may not be worth while to send any. Yet the present time is the best to negotiate with all. I

submit it to consideration, then, whether it is not advisable to send a commission to such Minister as you judge proper, with full powers to treat with all, to the Ministers now in Paris, or to any others. But I humbly conceive that, if powers to treat with all or any of these States are sent to any of your Ministers now here, it would be for the public good that they should be sent to all. If Congress can find funds to treat with the Barbary Powers, the Ministers here are the best situated, for they should apply to the Court of Versailles and their High Mightinesses, in the first place, that orders should be sent to their Consuls according to treaties to assist us. Ministers here may carry on this negociation by letters, or may be empowered to send an agent if necessary. I have no private interest in this business. My salary will be the same, my expenses more, and labor much increased by such a measure. But as it is of public importance, I think that no unnecessary delicacies should restrain me from suggesting these hints to Congress. Whatever their determination may be, will be satisfactory to me.

I have the honor to be, with the greatest respect, your Excellency's, &c.,

JOHN ADAMS.

THE CORRESPONDENCE

OF

JOHN JAY,

MINISTER PLENIPOTENTIARY TO THE COURT OF
SPAIN, AND ONE OF THE COMMISSIONERS
FOR NEGOTIATING PEACE.

JOHN JAY was a member of the first Congress, which assembled at Philadelphia, in September, 1774, having been, with four other persons, chosen a delegate from the city and county of New York. He was also in the Congress of the following year, but after the organization of the government of New York, he was made Chief Justice of the State, and retired from Congress. On the 21st of October, 1778, even while he held the office of Chief Justice, he was elected by the Assembly a delegate to Congress for a specific object, till the 1st of March following. The Assembly, at the same time, declared that by the constitution of New York both these stations were consistent with each other.

Mr. Jay joined the Congress on the 7th of December, and was elected President of that body three days afterwards, as the successor of Henry Laurens. He discharged this office with great dignity and credit to himself till September 27th, 1779, when he was appointed Minister Plenipotentiary to negotiate a treaty of amity and alliance with Spain. He sailed for France about the 1st of November in the same ship with M. Gerard, who had been the late French Minister in the United States. Accidents at sea compelled the captain of the vessel to put into Martinique, whence Mr. Jay sailed in another vessel for Europe, and arrived at Cadiz on the 22d of January, 1780. Here he remained between two and three months, and then proceeded to Madrid, and entered on the duties of his mission.

The two principal objects which Mr. Jay was instructed to obtain were a grant of aids in money and military supplies from Spain, to assist in prosecuting the war against the common enemy, and a treaty between Spain and the United States. After encountering for more than two years innumerable embarrassments, vexatious delays, cold treatment, and a provoking indifference, that would have exhausted the patience, if not ruffled the temper, of most men, he met with very little success in the former object, and none at all in the latter. The Spanish Court seemed nowise inclined to recognise the independence of the United States, or to show them any substantial marks of friendship, and yet there was evidently a willingness to keep on terms, and be prepared to act according to the issue of events. Tardy promises of money were made by the Minister, which he was reluctant to fulfil, and it was with extreme difficulty at last that Mr. Jay succeeded in procuring from his Catholic Majesty the pitiful loan of one hundred and fifty thousand dollars. In the treaty he made no progress, but was put off from time to time with pretences as frivolous as they were insincere. He was never received in his public capacity,

nor in any other character than that of a private gentleman empowered to act as agent for the United States. In short, it must be confessed, that the conduct of Spain in regard to this country during the revolutionary war was not such as to inspire the gratitude or respect of succeeding generations.

Meantime, on the 13th of June, 1781, Mr. Jay was chosen one of the Commissioners for negotiating a peace, when the parties at war should be prepared for such an event. Having already made considerable progress with Mr. Oswald in the treaty, and being persuaded that the British Government were in earnest as to their professed desire for peace, Dr. Franklin wrote to Mr. Jay, requesting him to repair to Paris, and join in the negotiation. He arrived in that city on the 23d of June, 1782, and shortly afterwards engaged in the duties of his commission with his colleague. Mr. Adams did not arrive till the 26th of October. The preliminary articles were signed on the 30th of November.

Mr. Jay continued in Europe the year following, and signed, with the other Commissioners, the definitive treaty September 3d, 1783. Several months previously he had asked permission to return home, but he did not embark till June 1st, 1784. He arrived in New York on the 24th of July following.

It having been understood that he would soon return, Congress had elected him Secretary of Foreign Affairs on the 7th of May, as successor to Mr. Livingston, who had resigned some time before. He accepted this appointment, and took charge of the office, which he filled with the same dignity and ability that had marked his conduct in every public station.

CORRESPONDENCE.

INSTRUCTIONS TO JOHN JAY, MINISTER FOR NEGOCIATING A TREATY WITH SPAIN.

In Congress, September 29th, 1779.

Sir,

By the treaties subsisting between his Most Christian Majesty and the United States of America, a power is reserved to his Catholic Majesty to accede to the said treaties, and to participate in their stipulations, at such time as he shall judge proper, it being well understood, nevertheless, that if any of the stipulations of the said treaties are not agreeable to the Court of Spain, his Catholic Majesty may propose other conditions analogous to the principal aim of the alliance, and conformable to the rules of equality, reciprocity, and friendship. Congress is sensible of the friendly regard to these States manifested by his Most Christian Majesty, in reserving a power to his Catholic Majesty of acceding to the alliance entered into between his Most Christian Majesty and these United States; and, therefore, that nothing may be wanting on their part to facilitate the views of his Most Christian Majesty, and to obtain a treaty of alliance, and of amity and commerce with his Catholic Majesty, have thought proper to anticipate any propositions which his Catholic Majesty might make on that subject, by yielding up to him those objects, which they conclude he may have principally in view; and for that purpose have come to the following resolution:

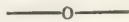
That if his Catholic Majesty shall accede to the said treaties, and, in concurrence with France and the United States of America,

continue the present war with Great Britain for the purpose expressed in the treaties aforesaid, he shall not thereby be precluded from securing to himself the Floridas; on the contrary, if he shall obtain the Floridas from Great Britain, these United States will guaranty the same to his Catholic Majesty; provided always, that the United States shall enjoy the free navigation of the river Mississippi into and from the sea.

You are, therefore, to communicate to his Most Christian Majesty the desire of Congress to enter into a treaty of alliance, and of amity and commerce with his Catholic Majesty, and to request his favorable interposition for that purpose. At the same time, you are to make such proposal to his Catholic Majesty as in your judgment, from circumstances, will be proper for obtaining for the United States of America equal advantages with those, which are secured to them by the treaties with his Most Christian Majesty; observing always the resolution aforesaid as the ultimatum of the United States.

You are particularly to endeavor to obtain some convenient port or ports below the thirty-first degree of north latitude, on the river Mississippi, for all merchant vessels, goods, wares, and merchandizes, belonging to the inhabitants of these States.

The distressed state of our finances, and the great depreciation of our paper money, inclined Congress to hope that his Catholic Majesty, if he shall conclude a treaty with these States, will be induced to lend them money; you are, therefore, to represent to him the great distress of these States on that account, and to solicit a loan of five millions of dollars upon the best terms in your power, not exceeding six per cent. per annum, effectually to enable them to coöperate with the allies against the common enemy. But before you make any propositions to his Catholic Majesty for a loan, you are to endeavor to obtain a subsidy in consideration of the guarantee aforesaid.*



TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 20th, 1779.

Sir,

This is the only opportunity of transmitting a letter to Philadelphia

* The above is the form in which the instructions were reported by a committee.

since our arrival ; and as the route which this is to take will be very circuitous and doubtful, it will be short and general.

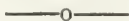
Having lost our bowsprit, all our masts, and many of our sails, as well as split our rudder off the Banks of Newfoundland, we steered for this island, and arrived yesterday afternoon. The Governor and Admiral are at Port Royal. They are informed of our being here, and I shall see them either at this or that place, according as we shall find it to be their intention to come to the one, or remain at the other. Till then, it must continue doubtful, whether we shall be able to obtain a passage in a French frigate, or speedily refit our own ; neither of which can be done without the interposition of Government.

Two days hence a vessel will sail for St. Eustatia. I shall write more particularly by her, and it is more than probable, that those letters will come to hand before this.

Yesterday, a fleet of twenty-five merchantmen, under the convoy of a frigate, bound from France to this place, were attacked on the southern coast of Martinique, near Port Royal, by a number of the enemy's ships-of-war from St. Lucia. Fourteen merchantmen were captured, and two driven on shore. The rest escaped during a very severe action between three line-of-battle ships under Monsieur le Motte Piquet, (who went from Port Royal to their relief,) and double the number of the enemy. This intelligence was communicated to me this morning by the commanding officer here.

I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 22d, 1779.

Sir,

By a message received yesterday afternoon from the Marquis de Boullié, I find there is no reason to expect him or the Admiral here very soon. We shall, therefore, set out for Port Royal early to-morrow morning, and endeavor to get our ship refitted as soon as possible. She will follow us in a day or two, and, as the enemy's ships-of-war are frequently cruising near the island, she will go under convoy ; four of them are now in sight of this town.

It seems agreed on all hands, that the expense of refitting the

Confederacy will be very considerable. To reduce this matter to greater certainty, I have desired the captain to make out an estimate of his wants; he promised to prepare it, and give me a copy this evening. If I receive it before nine o'clock, it will accompany this letter, otherwise it will be transmitted by the next conveyance.

The agent here tells me he is without cash, and in debt on the public account. I fear he has been neglected. I shall, however, defer saying any thing further on this subject till I shall be better informed. Should an opportunity offer of writing to your Excellency from Port Royal, I shall embrace it; if not, I shall take the first after my return. As the Government here will, I hope, advance the money necessary for preparing the frigate for sea, I am anxious that you may have the earliest intelligence of it, that timely provision may be made for the payment.

Of the fleet mentioned in my letter of the 20th instant, only nine were taken or destroyed.

7 o'clock.—I had written thus far, when Captain Harding called upon me. He has made out an estimate of the ship's wants, and given it to Mr. Bingham without having made a copy for me, which it is now too late to do to go by this vessel.

On our return from Port Royal, the captain will transmit particular accounts of every thing respecting the ship which he ought to communicate. He has been too much engaged to prepare his despatches to go by this vessel, and, therefore, postpones writing for the present, especially as he would have leisure only to repeat the general account of our misfortune contained in my letter.

I have the honor to be, &c.,

JOHN JAY.

—o—

TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 24th, 1779.

Sir,

My former letters to your Excellency of the 20th and 22d instant (a triplicate of the former, and a duplicate of the latter, are herewith enclosed) have already informed Congress of the disaster, which imposed upon us the necessity of coming hither. But as that necessity has been and still continues the subject of much inquiry and

investigation, it is proper that the facts from which it arose be minutely stated.

On the 7th day of November last, between the hours of five and six in the morning, in latitude $41^{\circ} 03'$ N. and longitude $50^{\circ} 39'$ W., the Captain being in bed indisposed, and the master and second lieutenant on deck, the ship going nine knots an hour in a brisk breeze and rough sea, but by no means hard weather, her bowsprit and all her masts gave way in less than three minutes. The day was employed in clearing the ship of the wreck, and getting up a little sail; towards evening a heavy gale came on. During the night the tiller was lashed fast, and she lay too very well, the wind blowing hard at southeast. The next morning the shank of the rudder was found to be so much wrenched and split, that the Captain then told me he thought it a greater misfortune than the loss of the masts. There were two French gentlemen on board, who, it was said, and I believe with truth, were well skilled in maritime affairs, having been bred to that business from their infancy, viz: Monsieur Roche, a Knight of the Order of St. Louis, and a Captain Remuy, of Marseilles. Either this day or the next, I am not certain which, M. Gerard remarked to me, that without any previous counsel, it seemed to be the unanimous opinion of all the naval officers on board to go to the West Indies, and that he believed it would be best, though he said he was at first inclined to oppose it. The first expedient to steer the ship was by the cable and a spar; below the split in the rudder there was a bolt with two rings, to which it had been intended to fix a chain for the purpose of steering the ship in case of such accidents, but the fixing the chains had been omitted; through this ring the Captain passed a chain, and to each end of it fastened a strong rope, which was conducted over the quarters, and this was a second mode of steering her; but from the uncommon breadth of the rudder by which its power became unusually great, and the acuteness of the angle between it and the chains rendering a greater force necessary than if it had approached nearer to a right angle; the bolt, though to appearance a good one, broke nearly in the middle and came out.

It seems the rudder of this ship was hung after she had been launched, and that to do it the more easily, an eye-bolt had been fixed in each side of the rudder below the shank; to these eye-bolts two chains were then fixed, which crossing the edge of the rudder

in opposite directions, were fastened to pennants made of cordage, provided for the breechings of our twelve pounders. These pennants passed through blocks at the end of spars run out of the ports of the cabin. From thence they were led through blocks in opposite ports of the main deck to the capstans, by means of which they were very conveniently managed, and the ship without much difficulty steered. Such, however, was the force and wear they underwent before our arrival in calmer latitudes and smooother seas, that they generally gave way every day or two; and the Captain tells me no less than six hundred weight of that cordage has been consumed in that service.

So great was the swell off the Banks, and so high, though not severe the winds, that near a fortnight elapsed before the ship was put in her present condition for sailing. The same obstacles also retarded the repairing of the rudder, which after all was so weak that it was not thought advisable to steer by the tiller, and to prevent any further injury from its striking against the ship, which it constantly did in calm weather, bags stuffed with oakum were placed on each side of it, and a man employed night and day to tend them.

Some days before the 23d day of November, the Captain told me he thought it advisable to call a council of his officers, and submit to their consideration the propriety of continuing our course towards Europe. M. Gerard shortly after mentioned to me the sitting of this council, and said he could assure me that the Chevalier Roche and Monsieur Remuy would not give their opinions on the subject but in writing, and on being requested to do it in writing by the Captain. This intelligence appeared to me extraordinary, but as it was not necessary that my sentiments relative to it should be known, I made no reply to M. Gerard, but by degrees turned the conversation to another subject; nor did I give the least hint of it to the Captain, but observed a perfect silence relative to it. It appeared to me that those gentlemen either overrated their importance, or entertained improper ideas of the merit of our officers, and I confess it gave me pleasure to hear that they were not consulted at all.

The council of officers was held the 23d of November last. The Captain gave me their report, together with a return of the provisions and water on board, and assured me of his readiness to proceed to any port whatever that M. Gerard and myself should direct. I gave these papers to M. Gerard, and although I did not think it expedient

by consulting the French officers to give them reason to suppose that I concurred in sentiments with them as to the importance of their opinions, yet I told M. Gerard I was well satisfied he should communicate to them the report of our officers, and obtain their sentiments on the question stated in it, and the better to enable him to do it, I proposed that we should postpone the discussion of the subject till the next day, or longer if necessary. He took the papers, said it was very well, and that he would speak to those gentlemen. A day or two after, being on deck, M. Gerard took me aside and gave me the papers, telling me that he had seen these gentlemen, and that they both declined giving any opinion about it; that they had always been, and still were, ready to do anything for the benefit of the ship; that had they been requested to give their opinions while the matter was in agitation, they would have done it; that it was now over and determined; that under these circumstances their opinion would be of no avail, and that they did not choose, by declaring their sentiments, either to confirm the report, or give it ineffectual opposition. M. Gerard further intimated that those gentlemen seemed to think their giving their advice in the course of our troubles had given offence to the officers of the ship; but I had never reason to think their apprehensions well founded. Upon this conduct of those gentlemen, I briefly observed to M. Gerard, that as they were passengers, we had no right to demand their opinions, and that they had a right to withhold them, or not, as they pleased, and for such reasons as they might think proper; but that as the Captain of the ship had been directed by the Marine Committee to obey such orders as he should receive from us, it was necessary that in the present conjuncture we should decide on the report; that the Captain, in my opinion, would not be justifiable in further pursuing his course, against the solemn and unanimous opinion of all the officers, unless by our express orders; and he would be culpable in changing it, without a previous application to us for direction. M. Gerard observed, that he was sensible of the honor done him by the order alluded to, but that it was not convenient to him to give any opinion or direction on the subject. It did not appear to me prudent to reply to this, and therefore I took the first opportunity of turning the conversation to another topic. As this circumstance prevented the Captain's receiving any positive orders from us on the subject, he was of course left to pursue his own judgment, but being desirous of

my opinion, I gave it to him in the manner endorsed on the report of the council, of which a copy is herewith enclosed.

The reasons on which this opinion was grounded are, in part, contained in this report, but there were others not mentioned in it. That Congress may the better judge of their force, it is necessary that they be informed of some previous circumstances.

The first fair day after losing our masts, I went to the door of M. Gerard's room on the deck, which was open, to bid him good morning. Chevalier Roche was with him; they were conversing on the course most proper for us to steer, and the port most proper to make for. M. Gerard was for going to Cadiz; he had an excellent set of charts, and he had then one of the Atlantic ocean, with its American, European, and African coasts, and the intervening islands, before him. By the assistance of this map we perfectly understood his reasoning. The Chevalier at that time inclined to the West Indies, and I heard him, on leaving the room, tell M. Gerard, that to endeavor to get to Europe in the present condition of the ship, would be to "*run a very great risk of perishing in the ocean.*" Some time after this, M. Gerard perceiving that I had adopted no decided opinion on the subject, (and that was really the case,) in the course of an evening he spent with us in the cabin, (none of the officers of the ship being present,) desired me to attend particularly to his several reasons for going to Cadiz, and consider them maturely before I made up my judgment. I promised him to do it, and was as good as my word. He proceeded to observe:

1st. That the distance to Cadiz and to Martinique differed but little, and that no weighty argument could be drawn from this difference.

2dly. That between us and Cadiz lay the Western and Canary Islands, into some one or other of which we might run, if necessary.

3dly. That if, on our arrival at either of these Islands, it should appear impracticable or imprudent to proceed further, our persons at least would be safe, and we might get to Europe in one of the many vessels which frequent those Islands; whereas, on the other hand, there were no islands between us and Martinique, and we should, in steering southward, be obliged to run all that distance without finding any place by the way at which we might touch, or, in case of danger, find shelter.

4thly. That if calmer seas were our object, we should find them

in going eastward as well as southward ; that we must not expect to meet with the trade winds at that season but in a very remote southern latitude ; that in crossing the latitude of Bermudas, we should meet with heavy squalls, and bad weather ; that in the latitude between that and the trade winds, we must expect variable winds, and particularly long calms, which are often more dangerous, and more to be dreaded than hard winds.

5thly. That in a voyage to Cadiz we should have nothing to apprehend from the enemy, but to Martinique, everything.

6thly. That if we should arrive safe at Martinique, we should probably be detained there until next spring ; that the vessels, which usually sail from thence for France every fall, would have departed before the time we should reach the Island ; that he had reason to believe it would be very difficult, if not impracticable, to obtain a frigate, and, among other reasons, urged the absence of Count d'Estaing, and the improbability that any subordinate officer would undertake without his orders to grant us one, even admitting, what was very unlikely, that one might be spared from the service.

7thly. That the ship might remain long at Martinique without being made ready for sea, for want of naval stores, provisions, &c.

These were M. Gerard's reasons for our steering for Cadiz, by the way of the Azores, and I do not remember to have afterwards heard an additional one. Whether the French officers really thought them conclusive, or whether they found it convenient to make a compliment of their sentiments to a gentleman very able to serve them, is uncertain ; but I believe they in appearance inclined to M. Gerard's opinion, and gave him implied reasons to think their sentiments corresponded with his.

The matter appeared to me in a serious light, and to require caution on many accounts. Every consideration called me to Spain ; private as well as public good forbade a difference with M. Gerard. I had reason to believe him well disposed towards me ; I perceived clearly that he could not with any patience admit the idea of being absent from Europe at so important a season, and that he could scarcely treat with common decency the reasons urged for going to Martinique. Hence it appeared obvious that should I be the means of his losing his objects, or should any public inconveniences result from our not being in Europe during the winter, I should be censured, not only by him, but by all those who judge of the propriety of a

measure only by its consequences, of which number are the far greater part of mankind. Thus circumstanced, I found myself in a very unpleasant situation, without any way of extricating myself but by agreeing to a sort of middle proposal, viz: to order the captain to land us on one of the Western Islands, and then leave the ship to shift for herself. This would have satisfied M. Gerard, and we should have been as good friends as ever. I thought it my duty, however, to form my decision carefully and honestly, and abide by it firmly. It was that we should proceed to Martinique. Some of the reasons for it are set forth in the report of the council of officers. The whole together were briefly these:

1st. That the officers of the ship, including the carpenter, who were to be presumed to be better judges than M. Gerard or myself, were of opinion that we ought not to attempt to go to Europe; and had this reason stood single and unexplained, I should not readily have ventured to reject it, especially as it appeared to me against the interest of the officers to come to the West Indies, and I have heard them constantly and uniformly regret the necessity of it; but I also thought they decided on good grounds; for,

2dly. The rudder daily gave us infinite trouble, almost every day a pennant breaking, and on every such occasion the ship for some time left to the direction of the wind and waves, a circumstance which might be fatal in hard weather, and near land; the quantity of cordage consumed in this way of steering; the doubt of our having sufficient for the purpose without stripping the guns, which would thereby be rendered useless; the rudder irons daily becoming more and more loose, and, by the nails drawing out, opening a passage for the water into the stern of the ship. By this circumstance our bread had been damaged; the danger of our being obliged to get rid of the rudder entirely, and steering only by the cable, which, in northern seas and winter season, is very inadequate. This event would have arrived in case either of the eye-bolts in the rudder had given way, as the first mentioned one had done, or the upper irons become entirely loose; and for this event it was thought necessary to prepare, by removing the obstacles to unhooking the rudder. Indeed the upper irons in the course of our passage here, with fair winds and no storms, became so loose as to render it necessary to lash the head of the rudder with ropes to a bolt fixed for the purpose in the cabin floor.

3dly. The sails we had left were bad, having been originally made, as Mr. Vaughan, the second lieutenant, told me, of damaged canvas; they frequently split; we had none to replace them, nor a sufficient stock of twine to mend them, eight pounds only being left of the twenty-odd we brought from Philadelphia; nor were we much better supplied with cordage, for which there was a daily demand, and some of which was very bad.

4thly. Our jury masts were not calculated for hard weather, the foremast being sprung a few feet below the top, and not able to endure a hard storm.

For these reasons the rough weather common in northern latitudes was, by all means, to be avoided, and smooth seas sought.

As to the conveniences to be derived from the islands laying between us and Cadiz, I took some pains to examine into that matter. We had maps and descriptions of them all, and our master had been at many of them. I found there was not a single harbor in any one of them in which a ship could ride at anchor in every wind; on the contrary, neither of them has any thing more than open roads, out of which it is necessary for ships to make the best of their way, and put to sea whenever certain winds blow, a task which our ship was very far from being in condition to perform.

From this and other circumstances it was evident we could not refit in either of those islands, not even so much as get a new rudder; for admitting materials for the latter could be had, yet such was the difficulty, if not impossibility, of hanging it in an open road, from whence the ship was every moment exposed to the necessity of going to sea by an unfavorable wind, that we could expect to derive no advantage from these islands, except the prospect of obtaining some refreshments, which we could do without, and the value of which would not have compensated for the risk of approaching them in our condition.

As to the idea of our steering that course with a view of being landed on one of those islands, and from thence going to Europe in another vessel, leaving our own to her fate, no earthly consideration could ever have reconciled me to it. The reasoning which was insisted on, that our being seasonably in Europe was of more importance to the United States than a frigate, and that in time of war, and for the public good, lives were to be risked by sea as well as by land, was a species of reasoning which, applied to this case, led to

conclusions, which never have been, and, I pray God, never may be, among my principles of action. Had this plan of being landed on one of the Azores or Canaries been adopted, we should have either landed the crew with us or not; if the first, the frigate would have been given to destruction. This appeared to me inconsistent with the public good, because, if we reached Martinique, I had no doubt of a passage, and my arrival in France eight weeks sooner or later did not appear to me of equal importance to the United States with the frigate. Had the crew been left on board, it must have been with a view of saving the ship, either by her reaching Europe or the West Indies. The probability of her effecting either became then a most important question, as the lives of between two and three hundred Americans depended on the event. Against it were opposed the dangers of the seas, and the want of provisions; the former would have increased with the approach of winter, and, therefore, the longer the ship was detained to the northward the more she had to suffer and to fear. The frigate, after having landed us on either of the islands, must either have gone on towards Europe or endeavored to get to the West Indies.

All the considerations abovementioned opposed the first, and whoever compares the time necessary for a voyage for a ship under jury masts, and almost without a rudder, from the Banks of Newfoundland to the Azores or Canaries, and from thence to the West Indies, with our stock of provisions, will find them inadequate to the purpose, and be convinced of the cruelty of subjecting one's fellow-citizens to such extremities. For these reasons I positively refused to join in this system.

As to the position in favor of going to Europe, that we should find the seas calmer as we advanced eastward, equally as we went southward, all the officers of the ship testified against it, nor would they admit that we had as much to dread from calms as from hard gales. The supposed difficulty of obtaining a passage from Martinique made but little impression on me. I could not suppose the islands left unprotected by ships-of-war, or that the commanding officer would refuse to order a frigate on this service, if M. Gerard would represent it to be of importance, which I was sure he would do. How long our ship might be refitting here was not to be ascertained, but I could not prevail upon myself to believe that the King of France would keep so considerable a fleet in those seas without providing for the

usual accidents they would be exposed to from the sea and the enemy. At the worst the ship would be in a safe port, and among a people bound by treaties and by interest to afford aid and protection, at least until Congress should be informed of her situation, and have an opportunity of providing for her wants. As to ourselves, in case we meet with the imagined difficulties respecting a passage, it would be easy, by passing over to St. Eustatia, to get very safely in a Dutch ship to Holland.

On these reasons the advice I gave to the captain to come here was founded. I thought them right then, and was daily more and more confirmed in an opinion of their propriety. In the course of our run here, we had all the way fine, fair breezes; and except in the latitude of Bermuda, smooth seas and scarce any calms. The night before we made the land, it was thought proper to lay the ship too after the moon set, which was between twelve and one o'clock, and she continued in that position only four hours and a half. Such, however, was the effect of it upon the rudder, and so much damage did it receive from it, that had the ship continued as much longer in the same state, it was agreed on all sides that the rudder would have been rendered useless.

M. Gerard, hurt by being disappointed in his expectation of being seasonably in France, and perhaps mortified at my preferring my own sentiments to his, ceased to observe that cordiality and frankness which had before attended his conduct towards me. Nay, he once went so far as to tell me I had my reasons for coming here. I appeared not to understand him, and continued to endeavor to render the conversation as light and general as possible. This was a tax imposed on my feelings by regard to public good; as a private man, I should have acted differently.

Thus matters continued till about ten, or twelve days before our arrival here, when M. Gerard observed to me in the presence of the captain, that it was time to think which side of the Island of Martinique it would be most prudent for the ship to go, the north or south side, and proceeded to state the reasons which ought to induce us to prefer the north; particularly, that in the present condition of the ship, she would if she went to the south side be in great danger of running by the island to the leeward; for that as we might expect the wind at northeast, she would not be able to lay sufficiently close to the wind to reach Port Royal or St. Pierre's; besides, that she

would be in danger of calms, and being in sight of St. Lucia, would be exposed to the enemy's ships-of-war, without having reason to expect succor from any French ships-of-war; none of which, he said, cruised off the eastern part of the island between Martinique and St. Lucia. He then showed the advantages of going the other side, by an enumeration of many circumstances, of which I have notes, but which it would be too tedious to mention. The obvious meaning of all this appeared to me to be that we should direct the captain to go to the northward of the island; but as I neither thought myself authorised, nor found myself inclined to interfere with the particular navigation of the ship, to which I was not competent, I only observed to M. Gerard that his reasoning appeared to me to have weight; that it was a subject I did not understand, but that I thought his observations merited attention. On this the captain remarked, and I thought with propriety, that it was impossible to determine on which side of the island it would be best to go, until we were at or near the parting point, for that circumstances at present unforeseen might render that way rash which we might now think prudent; for instance, an unexpected change in the wind, or the appearance of an enemy. He therefore thought a decision of the question improper, till we arrived off the eastern part of the island. This appeared to me so perfectly reasonable, that I thought no more about the matter, and I did not suspect that M. Gerard would have felt any further anxiety about it; but it nevertheless so happened, that in the afternoon of the 14th instant, there was a conversation in the cabin relative to a wager which of the two we should see first, land or a sail. In the course of this conversation, M. Gerard observed that it would depend on our going on the north or south side of the island, and insensibly leaving the subject of the wager, proceeded minutely to recapitulate his reasons for the one, and his objections to the other. In the progress of this disquisition, he grew warmer and warmer, and at length addressing himself more particularly to the captain, said he was surprised that those facts and observations should meet with so little attention; that he owed it to his conscience and personal safety to mention and enforce them, and that he should represent the whole matter to his Court, &c. The captain repeated what he had before said relative to the impropriety of deciding on which side of the island we were to go until we had made the land, observed whether any vessels were on

the coast, and knew how the wind would be. He then questioned some matters relative to the navigation round the island, on which M. Gerard had insisted.

For my own part, as the subject was so serious, I wished to be informed of some others, which appeared to me to want explanation. The captain had informed me that the master had been at the taking of Martinique last war, and was well acquainted with its bays, harbors, and coasts. I desired the captain to send for the master, which was immediately done. On this, M. Gerard, more animated than usual, said he pretended to no extraordinary knowledge on the subject, but that he had made inquiries, and was satisfied with the opinion he had given; then repeated what he had before said about his conscience, personal safety, and Court, and was opening the door to go on deck, when I asked him if he would not stay and hear what the master had to say. He said no, he did not want to hear any thing farther about it; he had done his duty in delivering what he had to us, and we might do as we pleased about the matter. I made no reply, but proceeded to examine the master and one of the lieutenants. On the whole it did not appear to me necessary, but on the contrary, invidious to give the captain any positive orders on the subject; nor did I enter into any farther conference respecting it with M. Gerard. I knew that no good would result from altercation, and that the best way of treating unreasonable propositions, cavalierly dictated, was silently to go my own way uninfluenced by them.

This last business rendered M. Gerard still more dissatisfied with me. We observed, nevertheless, and still observe great politeness towards each other, but it proceeds more from the head than the heart. On coming ashore, I flattered myself we should have left all these controversies behind us; but this city was soon entertained with them. The opinions of French officers were taken by M. Gerard about the sufficiency of the rudder to have gone to Europe; the question about the northern and southern navigation was stated and agitated. M. Gerard claims the merit of having saved the ship, by having, as he insinuates, dragged us into the measure of taking the northern passage, &c., &c. As we are safe in the harbor, these matters are now of no consequence, and therefore I constantly avoid the subject. How they may be represented at Philadelphia is of some moment, and therefore it appears to me expedient to trouble myself and Congress with this narration.

I cannot conclude this letter without expressing my satisfaction with the attention and politeness observed by the captain and other officers towards the passengers, as far at least as my knowledge extends.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 25th, 1779.

Sir,

As singular instances of humanity and patriotism always merit, and some times meet with, public notice, I take the liberty of transmitting to Congress a copy of the Rev. Mr. Keith's narrative of the conduct of a Mrs. Smith, at New York, to the Americans there, who had been taken at Fort Washington.

Conversing, while at sea, with Mr. Keith (our chaplain, who had been one of those prisoners) respecting the cruelties exercised towards them by the enemy, and the manner in which they were treated by the inhabitants of the city, he mentioned the behavior of this Mrs. Smith, whose conduct appeared to me so remarkably liberal, disinterested, and christianlike, that I desired him to commit it to paper, with a design to enclose it to your Excellency. I know nothing more of this woman than what Mr. Keith told me; but, as from his profession and character I am induced to credit what he says, I transmit this account of her, that if, on further inquiry, it be found to be just, Congress may have an opportunity of saving from poverty and distress a widow, who generously divested herself of a decent maintenance, and applied it to the relief of many citizens and servants of the United States, who were then gloriously enduring the most extreme cruelties, for their faithful attachment to the rights of their country and mankind.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 25th, 1779.

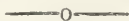
Sir,

I have done, what perhaps I shall be blamed for, but my pride as

an American, and my feelings as a man, were not on this occasion to be resisted. The officers of the Confederacy were here without money, or the means of getting any. The idea of our officers being obliged to sneak, as they phrase it, from the company of French officers, for fear of running in debt with them for a bottle of wine, or a bowl of punch, because not able to pay for their share of the reckoning, was too humiliating to be tolerable, and too destructive to that pride and opinion of independent equality, which I wish to see influence all our officers. Besides, some of them wanted necessaries too much to be comfortable, or, in this country, decent. In a word, I have drawn on the fund, pointed out for the payment of part of my salary, for one hundred guineas in their favor, to be divided among them according to their respective ranks. Indeed, it would have given me pleasure to have done something towards covering the nakedness of the crew; but the expense I have been put to by coming here, and the preparations for another voyage, would not admit of it.

I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

St. Pierre's, Martinique, December 26th, 1779.

Sir,

On our arrival here, M. Gerard told me that he was about to write to the Governor and Admiral at Port Royal, and asked me whether I also chose to write, or would leave to him the necessary communication; offering to mention to them whatever I might desire. As I was well satisfied that he should take the lead in the business, I replied, that I was obliged to him, but did not think it necessary for him to communicate any thing to those gentlemen from me, except our arrival, and the confidence I had in their readiness to afford us aid.

I thought it would have been improper to apply for a passage in one of their ships till I know in what time our own could be refitted, and on this subject it appeared to me most advisable, that application should be made by our agent here; and that I should reserve all interference till it should be rendered necessary by obstacles. Mr. Bingham accordingly wrote without delay to the Governor, and had

immediate and full assurances of his readiness to afford us every aid in his power. Nothing now remained to be ascertained but the time in which the repairs could be made, and this depended on the state of their naval stores.

Mr. Bingham went with us to Port Royal, on a visit to the officers of Government, (a compliment paid them by all strangers.) The Governor again assured him that every thing should be done for the ship that was possible, and some orders were given for the purpose. This passed, I believe, without M. Gerard's knowledge. About two hours after our arrival at Port Royal, he took me aside, observed that great difficulties and delays would attend the Confederacy's refitting there; that there were no masts or spars in store, and the expectation of supplies uncertain; that an old mast of a merchantman had been purchased for one of their ships-of-war, and that a main-yard for another had been made of four pieces for want of a proper spar, and, after some general hints about expenses, provision, &c., proposed that the frigate should be provided with a new rudder, and proceed to America to refit. I objected that, contrary to our expectations, the English had an acknowledged superiority in these seas; that three French frigates were at that instant flying from four ships-of-the-line, which were in full chase of them; that a frigate under jury masts would find no safety in flight; that it would be more prudent for Captain Harding to remain here without being refitted till he could get materials and supplies from America, or receive orders from Congress, than expose his ship to such imminent danger, and, therefore, that I could not possibly come into the measure he proposed.

M. Gerard replied that she might be convoyed to sea by the French squadron here; but this required no answer. It was not to be supposed that the French squadron, which, in their present state of inferiority, choose to keep their eyes constantly on Port Royal, would expose themselves to very unequal combat for no higher object than that of convoying the Confederacy seventy or eighty leagues off the coast, or that, if they did, she would then be out of that degree of danger, to which no ship in her condition ought to be exposed. Besides, I could not reconcile it to the wisdom of France long to leave their fleet here destitute of naval stores, or to disgust their allies by a conduct neither just nor politic. We agreed to leave the matter till the next day, when we expected to see the Admiral; but

in an hour or two afterwards the Admiral came in, and a very little time elapsed when the Governor, and shortly after M. Gerard told me the "*whole arrangement* was completed; that the same attention should be paid to the Confederacy as if she had been a French frigate, and that the Aurora, of thirty-odd guns, should carry us to France." The fact is, that the officers of Government in general, and the Governor in particular, are strongly attached to every thing that is American.

Our agent here is in high estimation. I really believe, from every thing I hear, that he has done his duty faithfully, and that he well deserves the notice and approbation of Congress. This leads me to take the liberty of remarking that it would probably be much for the public interest if Congress were to pay off all private debts due from them to subjects of France, and have none but national engagements with that Kingdom. The debts unavoidably contracted here for the outfit of the Deane, &c., ought certainly to be paid. Our credit and reputation suffer from such delay. We sail to-morrow morning at six o'clock.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO ARTHUR LEE.

Cadiz, January 26th, 1780.

Sir,

As a knowledge of the measures you may have taken and the information you may have acquired relative to the objects of your commission from the United States of America to conclude treaties with his Catholic Majesty, would probably enable me with greater facility and advantage to execute the duties of my appointment, permit me, sir, to request the favor of you to communicate the same to me, in such manner as you may judge most prudent.

I have in my possession some letters directed to you; they are voluminous, and probably contain printed papers. They may also be confidential and important to you. Under these circumstances I can only judge of your inclination by what would be my own in a similar situation. I should wish that they might be detained till I could have an opportunity of directing the manner of their convey-

ance. Upon this principle they shall remain among my papers till I receive your orders what to do with them.*

I am, sir, &c.,

JOHN JAY.

—o—

TO THE COUNT DE VERGENNES.

Cadiz, January 27th, 1780.

Sir,

It is with very sensible pleasure that I commence a correspondence with a Minister, of whose disposition and abilities to promote the happiness of my country we have received repeated proofs, and on a subject that affords his Most Christian Majesty an opportunity of perceiving the desire and endeavors of the United States to become cordial and steadfast friends and allies to an illustrious branch of his royal house.

By the treaties subsisting between his Most Christian Majesty and the United States of America, his Most Christian Majesty, in consequence of his intimate union with the King of Spain, did expressly reserve to his Catholic Majesty the power of acceding to the said treaties, and to participate in their stipulations at such time as he should judge proper. It being well understood, nevertheless, that if any of the said stipulations should not be agreeable to the King of Spain, his Catholic Majesty might propose other conditions analogous to the principal aim of the alliance, and conformable to the rules of equity, reciprocity, and friendship. And the Deputy of the said States, empowered to treat with Spain, did promise to sign, *on the first requisition* of his Catholic Majesty, the act or acts necessary to communicate to him the stipulations of the treaties above mentioned, and to endeavor in good faith the adjustment of the points in which the King of Spain might propose any alteration, conformable to the principles of equality, reciprocity, and perfect amity.

But as the above reservation has always been no less agreeable to the United States than to their great and good ally, both considerations conspired in inducing them to make the first advances towards attaining the object of it. And, therefore, instead of waiting till the

* See the answer to this letter in Arthur Lee's Correspondence, Vol. I, p. 581.

requisitions mentioned in the said article should be made, they have thought proper to assure his Most Catholic Majesty, not only of their readiness to comply with the terms of it, but of their desire to obtain his confidence and alliance by carrying it immediately into execution on the most liberal principles. Trusting also that the same wise reasons which induced his Most Christian Majesty to give birth to the said article would lead him to facilitate the endeavors of his allies to execute it, they resolved that their desire to enter into the said treaties should be communicated to his Majesty, and that his favorable interposition should be requested.

The more fully to effect these purposes, the Congress were pleased, in September last, to do me the honor of appointing me their Minister Plenipotentiary, and, in pursuance of this appointment, I sailed from America for France on the 26th of October last, with M. Gerard, who was so obliging as to wait till I could embark in the frigate assigned for his service. After being thirteen days at sea, the frigate was dismasted, and her rudder so much damaged that it was thought imprudent to proceed on our voyage. We therefore steered for Martinique, and arrived there on the 18th of December. I cannot, on this occasion, forbear expressing my warmest acknowledgments for the very polite attention and hospitality with which we were received and treated, both by the officers of Government and many respectable inhabitants of that island. We left Martinique on the 28th of the same month, in the *Aurora*, in which I expected to have gone to Toulon, but on touching at this place, it appeared that the further prosecution of our voyage had become impracticable without running risks that could not be justified.

Thus circumstanced, the respect due to his Most Catholic Majesty demanded an immediate communication of my appointment and arrival, which I had the honor to make in a letter to his Excellency Don Joseph Galvez, of the Council of his Catholic Majesty, and general Secretary of State for the Department of the Indies, of which the enclosed is a copy.

Will you, therefore, sir, be so obliging as to lay this circumstance before his Most Christian Majesty, and permit me through your Excellency to assure him of the desire of Congress to enter into a treaty of alliance and of amity and commerce with his Catholic Majesty, and to request his favorable interposition for that purpose?

I am happy in being able to assure you that the United States

consider a cordial union between France, Spain, and them as a very desirable and most important object, and they view the provision which his Most Christian Majesty has made for it by the above-mentioned article, not only as evincive of his attention to his royal ally, but of his regard to them. *

Under these views and these impressions, they are most sincerely disposed, by the liberality and candor of their conduct, to render the proposed treaties speedy in their accomplishment, and perpetual in their duration.

Your Excellency will receive this letter by M. Gerard, who is so obliging as to take charge of it, and to whom the Congress have been pleased to give such ample testimonies of their esteem and confidence, as to enable him to exert his talents with great advantage on every occasion interesting to them.

I cannot conclude without indulging myself in the pleasure of acknowledging how much we are indebted to the politeness and attention of the Marquis de la Flotte, and the other officers of the *Aurora*, during the course of our voyage.

With great respect and esteem, I have the honor to be, &c.,

JOHN JAY.

TO DON JOSEPH GALVEZ, MINISTER OF THE SPANISH COURT.

Cadiz, January 27th, 1780.

Sir,

Permit me through your Excellency to have the honor of representing to his Most Catholic Majesty, that on the sixth day of February, 1778, the respective Plenipotentiaries of his Most Christian Majesty and the United States of America, by whom the treaties now subsisting between them were concluded, did make and subscribe a secret article in the words following, viz :

“ The Most Christian King declares, in consequence of the intimate union which subsists between him and the King of Spain, that in concluding with the United States of America this treaty of amity and commerce, and that of eventual and defensive alliance, his Majesty had intended, and intends to reserve expressly, as he reserves by this present separate and secret act, to his Catholic Majesty, the power of acceding to the said treaties and to participate in their stipulations, at such time as he shall judge proper. It being

well understood, nevertheless, that if any of the stipulations of the said treaties are not agreeable to the King of Spain, his Catholic Majesty may propose other conditions analogous to the principal aim of the alliance, and conformably to the rules of equality, reciprocity, and friendship. The deputies of the United States, in the name of their constituents, accept the present declaration to its full extent; and the deputy of the said States who is fully empowered to treat with Spain, promises to sign, on the first requisition of his Catholic Majesty, the act or acts necessary to communicate to him the stipulations of the treaties above written. And the said deputy shall endeavor, in good faith, the adjustment of the points in which the King of Spain may propose any alteration conformably to the principles of equality, reciprocity, and perfect amity; he the said deputy not doubting but the person or persons, empowered by his Catholic Majesty to treat with the United States, will do the same with regard to any alterations of the same kind, that may be thought necessary by the said Plenipotentiary of the United States."

The Congress, willing to manifest their readiness fully to comply with an article which they have reason to believe particularly agreeable to their great and good ally, and being desirous of establishing perpetual amity and harmony with a prince and nation whom they greatly respect, and with whom various circumstances lead them to wish for the most cordial and permanent friendship, have thought proper to request his Most Catholic Majesty to accede to the said treaties, and thereby preclude the necessity of that measure's originating in the manner specified in the article. For this purpose they have done me the honor to appoint me Minister Plenipotentiary, and directed me to communicate to his Most Christian Majesty the desire of Congress on this subject, and to request his favorable interposition. They also made it my duty to give his Most Catholic Majesty the fullest assurances of their sincere disposition to cultivate his friendship and confidence; and authorized me, in their behalf, to enter into such treaties of alliance, amity, and commerce, as would become the foundations of perpetual peace to Spain and the United States, and the source of extensive advantages to both.

Thus commissioned I embarked without delay on board the frigate, which had been appointed to carry the Sieur Gerard to France, and sailed with him for that kingdom, from Pennsylvania, on the 26th day of October last.

But after having been thirteen days at sea, the frigate was dismasted, and her rudder so greatly injured, as to oblige us to alter our course and steer for Martinique. We arrived there on the 18th day of December last; and sailed from thence on the 28th day of the same month in a French frigate which was bound to Toulon, but had orders to touch at this port for intelligence. We arrived here the 22d instant, and received information of recent events, which rendered the further prosecution of our voyage too hazardous to be prudent.

Providence having thus been pleased to bring me directly to Spain, the respect due to his Most Catholic Majesty forbids me to postpone communicating to him my appointment and arrival; and the same motive will induce me to remain here till he shall be pleased to signify to me his pleasure. For although nothing would afford me more sensible pleasure than the honor of presenting to his Majesty the despatches which I am charged by Congress to deliver to him, yet on this, as on every other occasion, it shall be my study to execute the trust reposed in me, in the manner most pleasing to his Majesty, agreeable to the true intent and meaning of the article above mentioned.

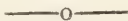
And that his most Christian Majesty may have the highest evidence of the intention and desire of Congress fully and faithfully to execute this article, I shall immediately do myself the honor of communicating the same, together with my appointment and arrival; and I flatter myself that the request of Congress for his favorable interposition, will meet with the same friendly attention which he has uniformly extended to all their concerns, and of which I am too sensible not to derive the highest satisfaction from acknowledging it on every occasion.

Mr. Carmichael, my Secretary, will have the honor of delivering this despatch to your Excellency, as well as of giving every information in his power to afford. This gentleman was a member of Congress at the time of his appointment, and will be able more fully to express the ardor with which the United States desire to establish a union with France and Spain, on principles productive of such mutual attachment and reciprocal benefits, as to secure to each the blessings of uninterrupted tranquillity.

I have the honor to be, with great consideration and respect, &c.,

JOHN JAY.

P. S. I do myself the honor of transmitting to your Excellency, herewith enclosed, a copy of my letter to his Excellency the Count de Vergennes.



TO THE PRESIDENT OF CONGRESS.

Cadiz, January 27th, 1780.

Sir,

This morning M. Gerard set out from this city for France, and Mr. Carmichael, charged with despatches from me to the Spanish Ministry, accompanies him as far as Madrid.

We arrived here the 22d instant, and I have been so much engaged ever since in preparing letters, &c., as not to have an opportunity of writing circumstantially to your Excellency by Captain Proctor, who I am told is to sail early in the morning for the Delaware or Chesapeake.

We left Martinique on the 28th of December, in the *Aurora* frigate, bound to Toulon. On touching here for intelligence we were informed that the enemy had acquired a decided superiority in the Mediterranean, and that the coast was infested by their cruisers, all of whom we had fortunately escaped. Hence it became improper for me to proceed to France by water, and it would in my opinion have been indelicate, and therefore imprudent to have passed silently through this kingdom to that, for the purpose of making a communication to his Most Christian Majesty, which could be fully conveyed by paper. On this subject I shall take the liberty of making a few further remarks in a future letter.

Congress will be enabled to judge of the propriety and plan of my conduct, from the papers herewith enclosed, viz: a copy of a letter to M. Galvez, the Spanish Minister; a copy of a letter to the Count de Vergennes; of both these I have sent copies to Dr. Franklin; a copy of a letter to Mr. Arthur Lee; and a copy of my instructions to Mr. Carmichael.

It is in pursuance of what appears to me to be my duty, that I shall render frequent, particular, and confidential accounts of my proceedings to Congress. I flatter myself care will be taken to prevent the return of them to Europe.

I have the honor to be, &c.,

JOHN JAY.

Instructions to William Carmichael.

Cadiz, January 27th, 1780.

You will proceed to Madrid with convenient expedition, and if M. Gerard, with whom you set out, should travel too deliberately, I advise you to go on before him. The propriety of this, however, will depend much on circumstances, and must be determined by your own discretion.

On delivering my letter to M. Galvez, it would be proper to intimate, that I presumed it would be more agreeable to him to receive my despatches from you, who could give him information on many matters about which he might choose to inquire, than in the ordinary modes of conveyance. And it may not be amiss to let him know, that his not receiving notice of our arrival from me by M. Gerard's courier, was owing to a mistake between that gentleman and me.

Treat the French Ambassador with great attention and candor, and that degree of confidence only, which prudence and the alliance between us may prescribe. In your conversations with people about the Court, impress them with an idea of our strong attachment to France; yet, so as to avoid permitting them to imbibe an opinion of our being under the *direction* of any counsels but our own. The former will induce them to think well of our constancy and good faith, the latter of our independence and self-respect.

Discover, if possible, whether the Courts of Madrid and Versailles entertain, in any degree, the same mutual disgusts which we are told prevail at present between the two nations, and be cautious when you tread on this delicate ground. It would also be useful to know who are the King's principal confidants, and the trains leading to each.

To treat prudently with any nation, it is essential to know the state of its revenues. Turn your attention, therefore, to this object, and endeavor to learn whether the public expenditures consume their annual income, or whether there be any and what overplus or deficiency, and the manner in which the former is disposed of, or the latter supplied.

If an opportunity should offer, inform yourself as to the regulations of the press at Madrid, and, indeed, throughout the kingdom; and

the particular character of the person at the head of that department. Endeavor to find some person of adequate abilities and knowledge in the two languages, to translate English into Spanish with propriety, and, if possible, elegance. I wish also to know which of the religious orders, and the individuals of it, are most esteemed and favored at Court.

Mention, as matter of intelligence, rather than in the way of argument, the cruelties of the enemy, and the influence of that conduct on the passions of Americans. This will be the more necessary as it seems we are suspected of retaining our former attachments to Britain.

In speaking of American affairs, remember to do justice to Virginia, and the western country near the Mississippi. Recount their achievements against the savages, their growing numbers, extensive settlements, and aversion to Britain for attempting to involve them in the horrors of an Indian war. Let it appear also from your representations, that ages will be necessary to settle those extensive regions.

Let it be inferred from your conversation that the expectations of America, as to my reception and success, are sanguine; that they have been rendered the more so by the suggestions of persons generally supposed to speak from authority, and that a disappointment would be no less unwelcome than unexpected.

I am persuaded that pains will be taken to delay my receiving a decided answer as to my reception, until the sentiments of France shall be known. Attempts will also be made to suspend the acknowledgment of our independence, on the condition of our acceding to *certain* terms of treaty. Do nothing to cherish either of these ideas; but, without being explicit, treat the latter in a manner expressive of regret and apprehension, and seem to consider my reception as a measure, which we hoped would be immediately taken although the business of the negotiation might be postponed till France could have an opportunity of taking the step she might think proper on the occasion.

You will offer to transmit to me any despatches which M. Galvez may think proper to confide to you; or to return with them yourself if more agreeable to him.

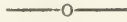
You will be attentive to all other objects of useful information, such as the characters, views, and connexions of important indi-

viduals; the plan of operations for the next campaign; whether any, and what secret overtures have been made by Britain to France, or Spain, or by either of them to her, or each other; whether any of the other Powers have manifested a disposition to take a part in the war; and whether it is probable that any, and which of them, will become mediators for a general peace, and on what plan. If the war should continue, it would be advantageous to know whether Spain means to carry on any serious operations for possessing herself of the Floridas, and banks of the Mississippi, &c., &c., &c.

Although I have confidence in your prudence, yet permit me to recommend to you the greatest circumspection. Command yourself under every circumstance; on the one hand, avoid being suspected of servility, and on the other, let your temper be always even, and your attention unremitted.

You will oblige me by being very regular and circumstantial in your correspondence, and commit nothing of a private nature to paper unless in cypher.

JOHN JAY.



WILLIAM CARMICHAEL TO JOHN JAY.

Madrid, February 15th, 1780.

Dear Sir,

I arrived in this city late in the evening of the 11th, after a tedious and disagreeable journey. The next day, although much indisposed, I waited on the French Ambassador, who had, by a message over night, requested M. Gerard to engage me to dinner. I was received by him and all his family in the most friendly manner, and was offered every service in his power, to render us without those personal professions, which give birth to many unmeaning words and more suspicion. Indeed, I have neither expressions nor time to represent the apparent candor and liberality of his sentiments. He entered fully into the good disposition of his Court, and informed me that the King, as a further proof of his friendship for us, had agreed to pay us annually the additional sum of three millions of livres during the continuance of the war, in order to enable us to purchase the necessaries for our army, &c., &c., and that his Majesty had also determined to send a considerable marine and land force early in the year to America, to be at the disposition and under

the direction of our General. Seventeen sail of the line, and four thousand troops, are also to be sent to the West Indies, if they have not already sailed. Judge after this, if attention, candor, and apparent unreservedness were not the more necessary on my part.

On inquiring, I found that M. Galvez was at the Pardo, about two leagues from Madrid, where the King resides at present, and in the course of conversation discovered that the proper channel of address ought to have been through the Count de Florida Blanca.

The Ambassador offered to introduce me, but as this could not be done with propriety without previous application, he undertook to make it the day following, and to fix the time for my reception by both, and I think the manner will be the sole difficulty.

Among other circumstances which induce this conclusion, is the certain knowledge I have obtained, that M. Mirales received instructions several months past to enter into engagements with Congress, to take into pay a body of troops to assist in the conquest of Florida. Your own good sense will point out the use which may be made of this intelligence. It answers to one point of the instructions, which I had the honor to receive from you. The short time I have been in this city has not hitherto given me an opportunity of writing so circumstantially as I could wish, in the matters abovementioned, and much less of giving a decided opinion on many objects contained in your instructions. I find, however, hitherto no difficulty in acquiring in time a knowledge on most of the subjects recommended to my attention.

I have reason to believe that the same disgusts do not subsist between the Crowns as between the nations, but the most perfect harmony and good understanding.

I have been positively assured, and from good authority, that no overtures have been made for peace.

The Dutch are arming, which is a circumstance in our favor, as their preparations originate from their discontent with England, on account of the late affair of the convoy.

Mr. Harrison is here, and proposes to proceed to Cadiz next week, which will furnish me a good opportunity of writing to you. I enclose you the last paper received from America; the people were in high spirits, and every thing in a good state in the beginning of January.

I cannot conclude without mentioning the very polite manner in

which the French Ambassador offered his personal civilities in every thing that depended on him to be useful to you in this place.

M. Gerard will write to you himself, yet I must do him the justice to mention his personal kindness to me, and the candid representations he has made in every public company here of the prosperous situation of our affairs.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

—O—

TO THE PRESIDENT OF CONGRESS.

Cadiz, February 20th, 1780.

Sir,

The papers herewith enclosed are duplicates of those which I had the honor of transmitting to your excellency by Captain Desausure. As yet I have received no intelligence from Madrid, owing I believe to the extreme badness of the roads.

When at Martinique, I informed Congress by letter, dated the 25th of December last, that I had drawn a bill in favor of the officers of the Confederacy on Dr. Franklin for one hundred guineas. At the time that letter was written, I had made the officers that promise, and had directed the bills to be made out accordingly, but just as I was coming away and closing accounts with Mr. Bingham, he, perceiving that the money I was about to draw for the officers was to come out of my salary, in the first instance, was so obliging as to offer to advance that sum on the credit of Congress, and thereby save me the necessity of drawing. I accepted his offer, and gave notice of it to the officers by Mr. Lawrence, the clerk of the frigate.

I have the honor to be, &c.,

JOHN JAY.

—O—

COUNT DE FLORIDA BLANCA TO JOHN JAY.

Translation.

Pardo, February 24th, 1780.

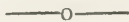
Sir,

Having received by the hands of Don Joseph de Galvez the

letter which your Excellency sent by Mr. Carmichael, and having communicated the contents to his Majesty, I have it in command to inform you that his Majesty highly approves the choice which the American Congress have made of you to the trust mentioned in your letter, as well on account of the high estimation in which his Majesty holds the members who made the choice, as the information he has received of your probity, talents, and abilities. His Majesty also received with pleasure the information of the desire which the Colonies have to form a connexion with Spain, of whose good disposition they have already received strong proofs. Nevertheless, his Majesty thinks it necessary, in the first place, that the manner, the forms, and the mutual correspondence should be settled upon which that union must be founded which the United States of America desire to establish with this monarchy. For this purpose there is no obstacle to your Excellency's coming to this Court in order to explain your intentions and those of the Congress, and to hear those of his Majesty, and by that means settling a basis upon which a perfect friendship may be established, and also its extent and consequences.

His Majesty thinks that until these points are settled, as he hopes they will be, it is not proper for your Excellency to assume a formal character, which must depend on a public acknowledgment and future treaty. But your Excellency may be assured of the sincerity and good dispositions of his Majesty towards the United States, and of his earnest desire to remove every difficulty for the mutual happiness of them and of this monarchy. This has been intimated to Mr. Carmichael, who can communicate the same to your Excellency, to whom I beg leave to make a tender of my service, being, &c.,

COUNT DE FLORIDA BLANCA.



TO WILLIAM CARMICHAEL.

Cadiz, February 25th, 1780.

Dear Sir,

Your favor of the 15th instant was delivered to me last evening. I congratulate you on your safe arrival, and hope the agreeable circumstances of your present situation will compensate for the fatigue and trouble you experienced on the way to it.

It gives me pleasure to hear the French Ambassador has been so obliging, and I am glad to find from your letter, that your attentions to him at least keep pace with his civilities, especially as you are no stranger to the distinction between the candor and politeness of a gentleman, and that unbounded confidence which is seldom necessary.

The intelligence you received from him is so agreeable and so interesting, that although the nature of it leaves me no room to doubt of this having been signified by the Court of France to Congress, either through Dr. Franklin or the Count de la Luzerne, yet as unexpected accidents may have retarded its arrival, I shall also transmit it by a vessel which will sail in a few days for Boston.

I regret your not having been more particular on the subject of the mistake you have been led to suppose in the direction of my letter, as I wish to have the means of determining whether it was from decisive authority that M. Gerard, whose opinion I requested on that subject, without hesitation, told me that M. Galvez was the Minister with whom all business with the United States was to be transacted, and urged several reasons for his being of that opinion. From that gentleman's knowledge of the Courts of Europe, and the departments established for the despatch of business in each, particularly with that of Madrid, with which his Court had been so long and so intimately acquainted, I was induced to desire and confide in his information on that point. Very conclusive reasons, therefore, are necessary to induce a belief of his having been mistaken. But as it is of importance that all errors of this kind be known, and, if possible, corrected, I must request your attention to this matter in your next.

I am at a loss to determine from your letter whether or not you have sent my despatches to Mr. Galvez. From your not having seen that gentleman, nor expecting to be introduced to him till the 17th instant, I conjecture that my letter did not reach him till that day; if so, I fear the delay will appear as singular to him as I confess it does to me. It does the more so to me, as my letter would have introduced you, and as you were apprized of my apprehension that pains would be taken to delay my receiving a decided answer as to my reception until the sentiments of France should be known. Perhaps the advice you received, as to the time and manner most proper for the delivery of it, was a little influenced by a desire of

gaining time. I wished to have felt the pulse of Spain, and, by their conduct on this occasion, to have been enabled to determine whether their councils, with respect to the United States, are in any, and in what, degree independent of those of France, or whether directed by them. This would have been very useful in the further progress of the business, and might have been easily obtained, had my letter been delivered immediately on your arrival, because in that case, before the sentiments of the French Court could have been asked and received, sufficient time would have elapsed to justify your applying to M. Galvez for an answer; and whatever that might have been, certain inferences would have been deducible from it. For these reasons, and not from an expectation of opposition from France, I regret this delay. But as my conjectures may prove groundless, and if just, you may have very cogent reasons, I forbear further remarks till I shall again have the pleasure of hearing from you.

Are you sure that the intelligence you heard respecting M. Mirales is *certain*? I am sorry by this question to lengthen your next letter, especially as writing in cypher is tedious and disagreeable. But that intelligence is important; if credited, it may have an influence on American measures which, if it should be groundless, might be injurious. The transmission of information to Congress, by which their councils and determinations may be affected, is a very delicate business, and demands the greatest care and precision. It is not uncommon, you know, for one gentleman to think a matter certain, which another of no greater discernment, and judging by the same evidence, will deem somewhat doubtful. I would choose, therefore, with respect to all interesting intelligence, and particularly such as I may transmit to Congress, to possess, as far as possible, every circumstance necessary to form a judgment of its credibility, such as the rank and character of the informants, and the means they have of acquiring the information they give, that I may represent it as entitled to that degree of credit only which, on full consideration, it may appear to deserve. I observe this less with reference to the case in question than as a general rule. Besides, as we correspond in cypher, no danger can result from being explicit.

I am well satisfied that the short time you had been at Madrid did not admit of your writing on the several subjects contained in

your instructions, on all of which, if allowed sufficient time, I am persuaded you will be able to obtain important information. However, as the object of your going to Madrid was to prevent delays in my receiving an answer to the letter to M. Galvez, the other instructions, however important, are to be considered as secondary, and though I wish that great and constant attention may be paid them, yet by no means to the neglect or prejudice of the first.

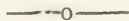
I am much obliged to you for the American paper enclosed in your letter. Every thing from our country is interesting. If you should find any more of them, whose contents afford either information or entertainment, send them, and you shall receive from me all I may meet with here which come under that description.

The letter you gave me reason to expect from M. Gerard has not yet arrived; perhaps the next post will bring it. On the first occasion I have of writing to him, I shall take the liberty of mentioning the sense you have of his personal kindness and attention to you.

The polite offers of the French Ambassador to be useful to me in all things that depend on him at Madrid, as well as his civilities to you, demand my acknowledgments, which I must beg the favor of you to present to him.

I am, dear sir, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

Cadiz, February 29th, 1780.

Sir,

I have the honor of transmitting to your Excellency in the enclosed papers,* all the intelligence I have received from Madrid. Mr. Secretary Thomson will decypher them. An opinion begins to prevail that America will be the theatre of war the ensuing campaign, and that the islands there will be the principal objects of contention.

I have the honor to be, &c.,

JOHN JAY.

* See above, p. 150, Mr. Carmichael's letter, dated February 15th, and Mr. Jay's reply, p. 153, dated February 25th. See also a letter in Carmichael's Correspondence, dated February 18th.

TO THE PRESIDENT OF CONGRESS.

Cadiz, March 3d, 1780.

Sir,

Agreeably to my promise to the Marquis de la Flotte, I must inform your Excellency that a Monsieur Jean Guy Guatier, merchant at Barcelona, recommended to the Marquis by Monsieur Aubere, the French Consul there, is desirous of becoming the Consul of the United States at that port. He had been encouraged, as M. Aubere says, to expect this appointment by Dr. Franklin, but as he supposed my arrival would prevent the Doctor's interference, it became necessary to make the application to me. I told the Marquis that my commission did not authorise me to comply with his request, and that all I could do would be to mention his friend's application to Congress.

How far it may be proper to grant appointments of this sort to any but citizens of America is a question whose importance will not, I am persuaded, escape the notice of Congress. A sensible, active Consul is a very useful officer in many respects, and has many opportunities of doing essential services to those who employ him, or to whom he may be most attached. It is most certain that, for want of proper persons appointed to take care of our distressed seamen, who, escaping from captivity at Lisbon, Gibraltar, &c., daily arrive here, America loses many of them. Humanity, as well as policy, calls for this provision. I have some of them now with me, destitute of bread and money, and almost of clothes, and of the means of getting either, unless by entering into the French or Spanish service. Such as may arrive here after my going to Madrid will be friendless unless I employ some person to take a little care of them, which I shall take the liberty of doing, being fully persuaded that the same principles which press me into that measure will induce Congress to approve it.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO THE PRESIDENT OF CONGRESS.

Cadiz, March 3d, 1780.

Sir,

Captain Morgan being still here, waiting for a fair wind, I have

an opportunity of transmitting to your Excellency a copy of a letter* just come to hand from the Count de Florida Blanca, in answer to mine to M. Galvez.

Being apprehensive that if present I should probably be amused with verbal answers capable of being explained away if necessary, until the two Courts could have time to consult and decide on their measures, I thought it more prudent that my first application should be by letter rather than in person.

The answer in question, divested of the gloss which its politeness spreads over it, gives us, I think, to understand, that our independence shall be acknowledged, provided we accede to certain terms of treaty, but not otherwise; so that the acknowledgment is not to be made because we are independent, which would be candid and liberal, but because of the previous considerations we are to give for it, which is consistent with the principles on which nations usually act.

I shall proceed immediately to Madrid. There are many reasons (hereafter to be explained) which induce me to suspect that France is determined to manage between us, so as to make us debtors to their influence and good correspondence with Spain for every concession on her part, and to make Spain hold herself obligated to their influence and good correspondence with us for every concession on our part. Though this may puzzle the business, I think it also promotes it.

M. Gerard has often endeavored to persuade me that a certain resolution of Congress would, if persisted in, ruin the business, which, however, he did not appear much inclined to believe, but, on the contrary, that if every other matter was adjusted you would not part on that point. I assured him that ground had, in my opinion, been taken with too much deliberation now to be quitted, and that expectations of that kind would certainly deceive those who trusted them. And, indeed, as affairs are now circumstanced, it would, in my opinion, be better for America to have no treaty with Spain, than to purchase one on such servile terms. There was a time when it might have been proper to have given that country something for their making common cause with us, but that day is now past. Spain is at war with Britain.

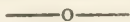
I do not like the cypher in which I write, and shall therefore defer

* See this letter above, dated February 24th, p. 152.

further particulars till Mr. Thomson shall receive the one now sent him.

I have the honor to be, with great respect and esteem, your Excellency's most obedient servant,

JOHN JAY.



DE NEUFVILLE AND SON TO JOHN JAY.

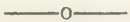
Amsterdam, April 6th, 1780.

Sir,

We beg leave to congratulate your Excellency on your safe arrival in Europe. By principle warmly attached to the American cause, we could wish we saw our States in a situation to acknowledge the independence of their sister Republic, and though we could only cultivate private connexions as yet, we took the liberty to address some intelligence to your Excellency when President of Congress. We should reckon ourselves extremely happy to know whether our letter came to hand before your Excellency left Philadelphia, and whether we may form any hopes that our zeal may prove successful for the benefit, as we intended, of both countries.

Meanwhile we have the honor to be, with all possible regard, &c.,

JOHN DE NEUFVILLE & SON.



ANSWER TO DE NEUFVILLE AND SON.

Madrid, April 27th, 1780.

Gentlemen,

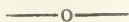
I have had the pleasure of receiving your favor of the 6th instant, and am much obliged by your kind congratulations on my arrival in Europe.

The letters you mention to have written to Congress had been received before I left Philadelphia, and referred to a committee. This mark of attention was justly due to the interest you take in the American cause, and the disposition you manifest to serve it. I presume that the committee soon made a report, and that answers to your letters have been written, although perhaps the many hazards to which letters from America are exposed, may have prevented their reaching you.

When the rulers of your Republic recollect in what manner and on what occasion they became free, I am persuaded they cannot but wish duration to our independence, nor forbear considering it as an event no less interesting to every commercial nation in Europe than important to America. These and similar considerations, added to the injustice they daily experience from England will, I hope, induce them to call to mind that spirit of their forefathers which acquired a glorious participation in the empire of the ocean, and laid the foundation of the commerce, affluence, and consideration they transmitted to their posterity.

Permit me to assure you that I shall consider your correspondence as a favor, and that I am, with great respect, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

Madrid, May 26th, 1780.

Sir,

Since my departure from America I have had the honor of writing the following letters to your Excellency, viz: 20th, 22d, 24th, 25th, 25th, 26th, and 27th of December, 1779, from Martinique; and 27th of January, 20th, 23th, and 29th of February, and 3d of March, 1780, from Cadiz. I am still uncertain whether any, and which of them have come to your hands, and request the favor of particular information on this subject.

Of such of them as respect immediately the business committed to me I now send duplicates, as well as copies of such other papers as, taken collectively, will give Congress a full and accurate state of their affairs here.

This packet, of which an exact copy goes by another vessel, will appear voluminous. It will nevertheless be found interesting. I have interspersed such observations as to me appeared proper for the purpose of explanation.

On the 22d of January, 1780, I arrived at Cadiz, without letters of credit or recommendation to any person there. The Chevalier Roche (a passenger with us) was so obliging as to procure me credit for about two hundred pounds sterling with a relation of his, to whom I was obliged to give a bill on Dr. Franklin at a more than usual short sight. I afterwards became acquainted with the house

of Le Couteulx and Company, who offered me what money I might want, and furnished me accordingly, with great cheerfulness. I was very disagreeably circumstanced.

Finding reports ran hard against American credit, and that bills on Dr. Franklin were held very cheap, by reason of his having, as was there said, postponed, delayed, and in some instances refused payment of them, on very frivolous pretences, I did, on the 26th of January, 1780, inform him by letter of my arrival, and of these reports.

In answer to this, the Doctor, on the 7th of April, 1780, wrote me a very friendly letter, asserting these reports to be false, and enclosing a certificate of his banker, which proved them to be so. Of this I have made the proper use, and as the same reports prevailed in Martinique, and probably in the other islands, I wish the remedy to be as extensive as the mischief, and therefore transmit the following extract from his letter on that subject, and a copy of the certificate mentioned in it :

Extract of a Letter from his Excellency Dr. Franklin, dated April 7th, 1780.

“ The reports you tell me prevail at Cadiz, that the Loan Office bills, payable in France, have not been duly honored, are wicked falsehoods. Not one of them, duly endorsed by the original proprietor, was ever refused by me, or the payment delayed a moment. And the few not so endorsed have been also paid on the guarantee of the presenter, or some person of known credit. No reason whatever has been given for refusing payment of a bill, except this very good one, that either the first, second, third, or fourth of the same set had been already paid. The pretence that it was necessary for the whole set to arrive before the money could be paid, is too absurd and ridiculous for any one to make use of, who knows any thing of the nature of exchange. The unexpected large draughts made upon me by Congress and others, exclusive of these from the Loan Office, have indeed sometimes embarrassed me not a little, and put me to difficulties. But I have overcome those difficulties, so as never to have been obliged to make the smallest excuse, or desire the least delay of payment from any presenter of such bills. Those

reports must therefore have been contrived by enemies to our country, or by persons who proposed an advantage to themselves by purchasing them at an under rate. Enclosed I send you a certificate of our banker in refutation of those calumnies."

Copy of the abovementioned Certificate.

Translation.

"I, the subscriber, banker at Paris, and alone charged with the payment of the bills of the Loan Office, declare that I have paid, without exception or delay, all such bills to this date, accepted by his Excellency Dr. Franklin; that, to my knowledge, no such bill has been refused payment; but that several have been presented after they had been once paid.

"I declare further, that whatever is contradictory to this present is false.

"In testimony of which I have here signed my name at Paris, this 15th of March, 1780.

GRAND."

It appearing to me of importance that I should as soon as possible be informed of the measures, which Mr. Arthur Lee might have taken leading to a treaty between the United States and Spain, I did, on the 26th of January, 1780, write him a letter, of which the following is a copy.*

Mr. Lee, in answer to this, wrote me a polite letter on the 17th of March, 1780. The following is a copy of it.†

As, for reasons which will appear in the course of the following papers, and which I hope will meet with the approbation of Congress, it became proper for me to remain in Spain, I apprised the Court of France of it by a letter to his Excellency the Count de Vergennes, on the 27th of January, 1780, of which the following is a copy.‡

* See above, dated January 26th, p. 141.

† See this letter in Arthur Lee's Correspondence, Vol. 1, p. 581.

‡ See above, p. 142.

The Count's answer to this is in the following words :

Translation.

“ Versailles, March 13th, 1780.

“ Sir,

I have received your favor of the 27th of January, and I am fully sensible of the confidence you have reposed in me, by communicating to me the object of your mission. You know too well the attachment of his Majesty to the United States not to feel assured that he sincerely wishes you success, and will be eager to contribute to it. The Count de Montmorin has received instructions accordant with this disposition, and I do not doubt that your confidence in him will enable him to fulfil them to your entire satisfaction.

“ I have the honor to be, &c.,

DE VERGENNES.”

On the 9th of May, 1780, I replied to the Count as follows :

“ Aranjues, May 9th, 1780.

“ Sir,

“ The letter which your Excellency did me the honor to write me, on the 13th of March last, was delivered to me by the Count de Montmorin on my arrival at Madrid.

“ I should not have thus long delayed the pleasure of replying to it, if I could have prevailed upon myself to have given your Excellency complimentary professions, instead of sincere assurances. Unreserved confidence in an Ambassador of our great and good ally was just, as well as natural ; and I am exceedingly happy to find that personal considerations, instead of forbidding, prompt it. M. Gerard, whose judgment I greatly respect, had given me a very favorable impression of this gentleman, and I am convinced from my own observation, that he was not mistaken. His conduct towards me has been that of a wise Minister, and a candid gentleman. Your Excellency may therefore rely upon his receiving all that confidence from me which these considerations dictate. Permit me to add, that I never indulge myself in contemplating the future happiness and independence of my country, without feeling the warmest attachment to the Prince and people, who are making such glorious exertions to establish them.

“ With the most lively sentiments of respect and esteem, I have the honor to be, &c.,

JOHN JAY.”

I requested the favor of M. Gerard to inform me to which of the Ministers of Spain it would be proper to address any letters which I might think proper to write to that Court. He told me M. Galvez, and enumerated his reasons for thinking so. On the 27th of January, 1780, I wrote a letter to that Minister. The following is a copy of it.*

Mr. Carmichael was the bearer of this letter, and as his going to Madrid to expedite an answer to it would give him an opportunity of acquiring as well as giving information on several subjects, I gave him the following instructions.†

I have desired Mr. Carmichael, for greater certainty, to give me notes in writing of all the information he gained in pursuance of these instructions, but he has postponed it for the sake of enlarging them by some important additions.

My letter to M. Galvez was answered the 24th of February, 1780, by the Count de Florida Blanca, in the words following, viz:‡

To this letter I replied as follows, viz :

“ Cadiz, March 6th, 1780.

“ Sir,

“ I have been honored with your Excellency’s favor of the 24th ultimo, which did not come to my hands till sometime after its arrival:

“ The sentiments which his Majesty is pleased to entertain of me, together with the polite manner in which your Excellency has been so obliging as to express them, demand my warmest acknowledgments, and give additional force to the many motives which render me desirous of a permanent union between his Majesty and the United States.

“ The honor and probity which have ever characterized the conduct of Spain, together with the exalted reputation his Majesty has acquired by being an eminent example of both, have induced the people of the United States to repose the highest confidence in the proofs they have received of his friendly disposition towards them; and to consider every engagement with this monarchy as guarantied by that faith, and secured by that ingenuousness, which have so gloriously distinguished his Majesty and this kingdom among the other Princes and nations of the earth.

* See above, p. 144.

† See p. 148.

‡ See p. 152.

“Permit me to request the favor of your Excellency to assure his Majesty that the people of the United States are convinced that virtue alone can animate and support their governments; and that they can in no other way establish and perpetuate a national character, honorable to themselves and their posterity, than by an unshaken adherence to the rules which religion, morality, and treaties may prescribe for their conduct. His Royal mind may also be persuaded that gratitude will never cease to add the influence of inclination to the power of dignity, in rendering them solicitous for the happiness and prosperity of those generous nations who nobly strengthened their opposition to a torrent of oppression, and kindly aided in freeing them from the bondage of a nation whose arrogance and injustice had become destructive of the rights of mankind, and dangerous to the peace and tranquillity of Christendom.

“Having, therefore, the most perfect conviction that the candor and benignity of his Majesty’s intentions are equal to the uprightness and sincerity of those of Congress, I shall set out in a few days for Madrid with the pleasing expectation that there will be little delay or difficulty in adjusting the terms of a union between a magnanimous monarch and a virtuous people, who wish to obtain by an alliance with each other, only reciprocal benefits and mutual advantages.

“I have the honor to be, with perfect respect and consideration, your Excellency’s most obedient, and most humble servant,

“JOHN JAY.”

On the 4th of April, 1780, I arrived at Madrid, and Mr. Carmichael delivered to me the following questions from the Count de Florida Blanca, to which he had declined giving answers, viz :

Questions from the Count de Florida Blanca, dated the 9th of March, 1780.

Translation.

“Before entering into a discussion with Mr. Jay or Mr. Carmichael, jointly or separately, on the subject of the affairs of the United States of North America, and their mutual interest with respect to Spain, it is judged indispensable at Madrid that the Catholic King should be exactly informed of the civil and military state of the American Provinces, and of their resources to continue

the present war, not only for the defence of their own liberty, but also with respect to the aid and succors they may be able to afford Spain in its operations in case hereafter this Crown should become the ally of America. The *civil affairs* ought to comprehend,

“1st. A true account of the population and form of government of each Province of the Union, and the resolution of the inhabitants to continue the war with vigor as long as it is necessary.

“2dly. Whether there is any powerful party in favor of England, and what consequences are to be apprehended from it; whether the heads of this party suffer themselves to be seduced by the great promises of the British Government.

“3dly. A statement of the revenues of these Provinces, and of their ability to contribute to the general expense; to which may be added whether they will be able long to support this burthen, and even to increase it should it be judged necessary.

“4thly. A statement of the public debts, and of the particular debts of each State, taken collectively or separately, of their resources to lessen them, and the possibility of their being able to support their credit in all the operations of Government in the commerce of their inhabitants, and above all in the protection of national industry.

“5thly. By what means, or with what branches of commerce, will the States of America have it in their power to indemnify Spain whenever this Power may second the views and operations of the Americans; and particularly the Court wishes to know whether it may be convenient for the said States to furnish ships-of-war of the best construction for the Spanish marine, and likewise timber and other articles for the King’s arsenals, and the whole without loss of time, and fixing the terms on which they would make an agreement of this nature, and who would be commissioned to bring the vessels and these naval stores to Spain.

“With respect to the *military state* of America, it is necessary to be informed first of the number and strength of the different bodies of troops armed by the Provinces, and of their present situation, in order to judge whether they are sufficient to oppose the enemy wherever they may go, and particularly in Carolina and Georgia.

“Further, it may be expedient to know the means of augmenting the American army in case it is necessary, or to keep it always on the same footing, notwithstanding its daily losses. In what condition

their clothing and arms are at present; whether they are partly in want of those articles, and how much it would require to remedy those defects.

“The subsistence of an army being an object of the greatest consequence, the Court desires to know if proper measures have been taken for that purpose, that it may be ascertained whether it can act everywhere, if necessary, even in the above-mentioned Provinces, without danger of being in want of necessaries.

“It is highly essential for the Provinces of America to keep a marine to act against the common enemy, and to secure their own possessions during the present war. The Spanish Minister therefore is desirous of knowing its strength, including the armed vessels belonging to individuals, and by what means it may be augmented, and what succors will be necessary for that purpose.

“The Court of Spain, desirous of information on these subjects with all possible frankness and precision, does not pretend to dive into matters which Mr. Jay or Mr. Carmichael may regard as reserved to themselves. Its only aim is to be acquainted with the present state of the American forces, their resources, and ability to continue the war, so that if it was in consideration for new allies to supply them with succors of any kind, the former might be able to plan on solid grounds their operations convenient for the common cause, and for the particular advantage of these States, without running the risk of being misled by false calculations for want of foresight and proper information.

“Pardo, March 9th, 1780.”

My answer to these questions is contained in a letter I wrote to the Count de Florida Blanca, on the 25th of April, 1780; the removal of the Court to Aranjues, and his attending the King at that time at an annual chase, rendering it useless, and perhaps improper, to endeavor to call his attention to these matters sooner. The following is a copy of it:

“Madrid, April 25th, 1780.

“Sir,

“Mr. Carmichael has delivered to me a paper he had the honor of receiving from your Excellency before my arrival here, containing heads of many important inquiries respecting which it was thought necessary that his Catholic Majesty should be exactly informed before entering into a discussion with me and Mr. Carmichael jointly

or separately, on the subject of the affairs of the United States of North America, and their mutual interest with respect to Spain ; but that the Court, though desirous of information on these several articles, with all possible frankness and precision, did not mean to dive into matters which Mr. Carmichael and myself might regard as reserved to ourselves only.

“ Being persuaded that direct and accurate information respecting the nature and extent of the commissions given to that gentleman and myself, would be very agreeable to your Excellency, I take the liberty of transmitting the following copies of each :

“ ‘ The delegates of the United States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in Congress assembled, to all who shall see these presents, greeting :

“ ‘ Whereas an intercourse between the subjects of his Catholic Majesty and the citizens of these United States, founded on the principles of equality, reciprocity, and friendship, may be of mutual advantage to both nations, and it being the sincere desire of the United States to enter into a treaty of alliance and of amity and commerce with his Catholic Majesty, know ye, therefore, that we, confiding in the integrity, prudence, and ability of the Honorable John Jay, late President of Congress, and Chief Justice of the State of New York, have nominated and constituted, and by these presents do nominate and constitute him, the said John Jay, our Minister Plenipotentiary ; giving him full power, general and special, to act in that quality, to confer, treat, agree, and conclude, with the Ambassador or Plenipotentiary of his Catholic Majesty vested with equal powers, of and concerning a treaty of amity and commerce, and of alliance, and whatever shall be so agreed and concluded for us and in our names, to sign, and thereupon make such treaty or treaties, conventions and agreements, as he shall judge conformable to the ends we have in view, in as ample form, and with the same effect, as if we were personally present and acted therein, hereby promising in good faith that we will accept, ratify, fulfil, and execute whatever shall be agreed, concluded, and signed by our said Minister Plenipotentiary, and that we will never act, nor suffer any person to act contrary to the same in the whole, or in any part.

“ ‘ In witness whereof we have caused these presents to be given

in Congress, at Philadelphia, the 29th day of September, in the year of our Lord one thousand seven hundred and seventy-nine, and the fourth year of the independence of the United States of America.

“ ‘Signed by the President, and sealed with his seal.

“ ‘SAMUEL HUNTINGTON, *President*.

“ ‘Attest, CHARLES THOMSON, *Secretary*.’

“ ‘The United States of America, in Congress assembled. To the Honorable William Carmichael, a delegate in Congress from the State of Maryland. Greeting :

“ ‘We, reposing especial trust and confidence in your patriotism, ability, conduct, and fidelity, do by these presents constitute and appoint you, during our pleasure, Secretary to our Minister Plenipotentiary, appointed to negotiate a treaty of amity and commerce, and of alliance with his Catholic Majesty. You are, therefore, carefully and diligently to discharge the duty of Secretary, by doing and performing all things thereunto belonging, and, in case of the death of our said Minister, you are to signify it to us by the earliest opportunity, and on such event, we authorize and direct you to take into your charge all our public affairs, which were in the hands of said Minister at the time of his death, or which may be addressed to him before notice thereof, and proceed therein, according to the instructions to our said Minister given, until our further orders.

“ ‘Witness, his Excellency Samuel Huntington, President of the Congress of the United States of America, at Philadelphia, the 29th day of September, in the year of our Lord 1779, and in the fourth year of our independence.

“ ‘SAMUEL HUNTINGTON, *President*.

“ ‘Attest, CHARLES THOMSON, *Secretary*.’

“ ‘The inquiries in question are numerous and important. They do honor to the sagacity which suggested them, and if fully answered, would produce a very interesting history of the present condition of the American States. On some of the subjects proposed, I can give your Excellency full and positive intelligence ; on others only general, and by no means precise information. On all, however, I shall write with candor.

“ ‘Such is the nature of the American governments and confederacy, that the Congress, and all other rulers of the people, are responsible

to them for their conduct, and cannot withhold from their constituents a knowledge of their true situation, without subjecting themselves to all the evils which they experience who substitute cunning in the place of wisdom. Hence it is that a knowledge of their affairs is easily attainable by all who will be at the trouble of collecting it, and as it is neither the policy nor inclination of America to draw a veil over any part of their affairs, your Excellency may be persuaded that every consideration forbids their servants, by a suppression, or misrepresentation of facts, to deceive or mislead those whose amity they so sincerely endeavor to cultivate as they do that of Spain.

I. THE CIVIL STATE OF NORTH AMERICA.

“Your Excellency has with great propriety arranged the subjects of your inquiry under two heads: the *Civil* and *Military* States of North America. The first of these is again branched into several subdivisions, at the head of which is the

Population of each State.

“The exact number of inhabitants in the United States has not, I believe, been ascertained by an actual census in more than two or three of them. The only computation made by Congress was on the 29th of July, 1775; the manner and occasion of which exclude every suspicion of its exceeding the true number. Congress had emitted bills of credit to a very considerable amount, and were apprized of the necessity of emitting more. Justice demanded that this debt should be apportioned among the States according to their respective abilities; an equitable rule whereby to determine that ability became indispensable. After much consideration, Congress resolved, ‘that the proportion or quota of each Colony should be determined according to the number of the inhabitants of all ages (including negroes and mulattoes) in each Colony,’ but as that could not *then* be ascertained *exactly*, they were obliged to judge of, and compute the number from circumstantial evidence. The delegates gave to Congress an account of the population of their respective Colonies, made from the best materials then in their power, and so great was their confidence in each other, that from those accounts that computation was principally formed. Your Excellency will

readily perceive, that the delegates were far from being under any temptations to exaggerate the number of their constituents; they were not ignorant, that by such exaggerations they would increase their portion of aids, both of men and money, and that whatever errors they might commit could not be rectified by an actual enumeration during the war. The computation then formed was as follows :

New Hampshire.....	124,069 and a half.
Massachusetts Bay.....	434,244
Rhode Island.....	71,959 and a half.
Connecticut.....	248,139
New York.....	248,139
New Jersey.....	161,290 and a half.
Pennsylvania.....	372,208 and a half.
Delaware.....	37,219 and a half.
Maryland.....	310,174 and a half.
Virginia.....	496,278
North Carolina.....	248,139
South Carolina.....	248,139

3,000,000

Exclusive of the inhabitants of Georgia, who were not at that time represented in Congress, and of whose numbers I have no information that I can confide in.

The Form of Government of each State.

“In the pamphlets I have now the honor of transmitting to your Excellency, viz: No. 1, No. 2, No. 3, No. 4, and No. 5, you will find the constitutions of New York, New Jersey, Pennsylvania, Delaware, and South Carolina. The others I have not with me. The great outlines of them all are very similar. By the last accounts from America, it appears that Massachusetts Bay had not as yet agreed upon their constitution, but had it then under consideration.

“It cannot be necessary to observe to your Excellency, that these new modes of government were formed by persons named and authorised by the people for that express purpose; that they were, in general, instituted with great temper and deliberation upon such

just and liberal principles, as, on the one hand, to give effectual security to civil and religious liberty, and on the other make ample provision for the rights of justice, and the due exercise of the necessary powers of government.

“The Articles of Confederation agreed upon by Congress, and approved by every State in the Union except Maryland, provide for the general government of the Confederacy, and the ordering of all matters essential to the prosperity and preservation of the Union in peace and war. I ought also to inform your Excellency, that the reasons why Maryland has as yet withheld her assent to those articles, do not arise from any disaffection to the common cause, but merely from their not having adopted certain principles respecting the disposition of certain lands.

The Union and Resolution of the Inhabitants to continue the War with vigor as long as may be necessary.

“On this subject I can give your Excellency certain and positive information. The storm of tyranny and oppression, which had for some years been constantly growing more black and more terrible, began to burst with violence on the people of North America in the year 1774. It was seen and felt and deprecated by all except those who expected to gather spoils in the ruins it was designed to occasion. These were those who enjoyed or expected emoluments from Great Britain, together with their immediate dependants and connexions; such as the officers of Government throughout the Colonies, but with some very distinguished exceptions, those of the clergy of the Church of England almost without exception, who received annual salaries from the society established in England for propagating the Gospel in foreign parts, foreign adventurers, buyers, and sellers, who, being no further attached to the country than as it afforded the means of gain, soon prepared to speculate in confiscations, and courted the notice of their Sovereign by intemperate zeal for the ruin of his subjects. With these exceptions, the great body of the people move together, and united in such firm and considerate measures for the common safety, and conducted their affairs with such regularity, order, and system as to leave no room to suppose them to be the work of only a prevailing party, as our enemies have always represented and affected to consider them.

“There was, it is true, another class of persons not much less dangerous, though far more contemptible than those I first mentioned ; persons who in every revolution, like floating weeds in every storm, obey the strongest wind, and pass from side to side as that happens to change. I mean the *neutrals*, a pusillanimous race, who, having balanced in their minds the advantages and disadvantages, the gains and dangers of joining either side, are seduced by their fears to form a thousand pretexts for joining neither ; who, to manifest their loyalty to their King, when his armies were successful, gave them every aid in their power, except drawing their swords against their country, and who, when their countrymen prevailed, were ready to render them all possible service, except taking arms against their Prince.

“The auxiliaries whom the British measures and forces found in the country consisted of persons from these classes. And although when these first appeared in, and wounded the bosom of America, she was obliged to extend her arms to repel the assaults of a foreign enemy, yet such was the union and spirit of her inhabitants, that she was soon enabled not only to put them under her feet, but on the ruins of her former Governments to erect new ones in the midst of invasions from without, and treacherous combinations from within. Being able to obtain no other terms of peace than unconditional obedience, she had sufficient courage to declare herself independent in the face of one of the best appointed armies Britain could ever boast of, as well as sufficient strength to limit its operations, and reduce its numbers.

“It may perhaps be observed that the first object of the war was a redress of grievances ; that the present object is *independence* ; and it may be asked whether the people are as much united with respect to the last as they were with respect to the first.

“I am certain that the people of America never were so well united as they are at present in that of their independence. Exclusive of actual observation on the spot, I think so because,

“1st. The Declaration of Independence was made by Congress at a time when the great body of their constituents called for it.

“2dly. Because that declaration was immediately recognised by the General Assemblies and Legislatures of the several States, without exception.

“3dly. Because the successful army under General Burgoyne was defeated and captured by a great collection of the neighboring

militia, to whom he had offered peace and tranquillity on their remaining at home, terms which it was natural to suppose a great many of them would have accepted had the Declaration of Independence been disagreeable to them.

“4thly. Because the Congress, consisting of members annually elected, have repeatedly, expressly, and unanimously declared their determination to support it at every hazard.

“5thly. Because their internal enemies have been either expelled or reduced, and their estates, to a very great amount in some of the States confiscated and actually sold.

“6thly. Because constitutions and forms of government have since been instituted and completely organized, in which the people participate, from which they have experienced essential advantages, and to which they have of consequence become greatly attached.

“7thly. Because Congress unanimously refused to enter into treaty with the British Commissioners on any terms short of independence, and because every State, though afterwards separately solicited, refused to treat otherwise than collectively by their delegates in Congress.

“8thly. Because the inhuman and very barbarous manner in which the war has been conducted by the enemy, has so alienated the affections of the people from the King and Government of Britain, and filled their hearts with such deep-rooted and just resentments as render a cordial reconciliation, much less a dependence on them, utterly impossible.

“9thly. Because the doctrine propagated in America by the servants of the King of Great Britain, that no faith was to be kept with Americans in arms against him, and the uniformity with which they have adhered to it, in their practice as well as professions, have destroyed all confidence, and leave the Americans no room to doubt but that, should they again become subjects of the King of Britain on certain terms, those terms would as little impede the progress of future oppression, as the capitulation of Limerick, in 1691, did with respect to Ireland.

“10thly. Because the treaty with France, and consequently virtue, honor, and every obligation due to the reputation of a rising nation, whose fame is unsullied by violated compacts, forbid it.

“11thly. Because it is the evident and well-known interest of North America to remain independent.

“12thly. Because the history of mankind, from the earliest ages, with a loud voice calls upon those who draw their swords against a Prince deaf to the supplication of his people to throw away the scabbard.

“13thly. Because they do not consider the support of their independence as difficult. The country is very defensible and fertile; the people are all soldiers, who with reason consider their liberty and lives as the most valuable of the possessions left them, and which they are determined shall neither be wrested or purchased from them but with blood.

“14thly. Because for the support of their independence they have expressly, by a most solemn act, pledged to each other their lives, their fortunes, and their sacred honor; so that their bond of union for this very purpose, thus formed of all the ties of common interest, common safety, mutual affection, general resentments, and the great obligations of virtue, honor, patriotism, and religion, may with reason be deemed equal to the importance of that great object.

Whether there is any powerful party in favor of England, and what consequences are to be apprehended from it? Whether the heads of this party suffer themselves to be seduced by the promises of the British Government?

“What has been already said on the subject of the union of the people in North America, will, I imagine, in a great measure answer these questions.

“If by a party in favor of England is meant a party for relinquishing the independence of the United States, and returning to the dominion of Britain, on any terms whatever, I answer there is no such party in North America; all the open adherents of the Crown of Great Britain having either voluntarily quitted or been expelled from the country.

“That Britain has emissaries and masked adherents in America, industrious in their little spheres to perplex the public measures, and disturb the public tranquillity, is a fact of which I have not the most distant doubt, and it is equally true, that some of these wicked men are by a few weak ones thought to be patriots, but they cannot with any propriety be called a party, or even a faction. The chief

mischief they do, is collecting and transmitting intelligence, raising false reports, and spreading calumnies of public men and measures ; such characters will be found in every country so circumstanced, and America has not been negligent in providing laws for their punishment.

“The obvious policy of the Court of London has induced them to boast perpetually of their party in America ; but where it is ? of whom composed ? what it has done, or is doing ? are questions to which they constantly give evasive answers. Much also have they said of the numbers that have joined their arms in America. The truth is, that at Boston, Rhode Island, New York, and Philadelphia, they gleaned some of that refuse of mankind to be found and purchased by any body in all commercial cities. It is also true, that some men of weight and influence in the country, who joined the enemy on their first successes, did draw away with them several of their immediate dependents, whom they persuaded or otherwise influenced to enlist in their service. To these may also be added the prisoners, who at different times they forced into their service by famine, and other severities too numerous as well as barbarous to be here particularized. But I have no reason to believe that all these aids put together ever exceeded three thousand men. This business, however, (except with respect to prisoners,) has long been over, and before I left America many of those deluded people had returned and implored the pardon of their country.

“In America, as in all other popular governments, your Excellency knows there must and ever will be parties for and against particular measures and particular men. The enemy, adverting to this circumstance, have had address enough to ascribe differences and temporary heats arising from this source, in which they were not interested, to causes much higher, and more flattering to their importance ; and this they have done with so much art as to have imposed in some instances on the credulity of men high in reputation for sagacity and discernment.

“If your Excellency will be pleased to peruse a pamphlet marked No. 6, which you will find enclosed with the other papers I herewith transmit, and entitled ‘Observations on the American Revolution,’ you will perceive that nothing is to be apprehended from this supposed party in North America.

A statement of the Revenues of the States, and of their ability to contribute to the general expense; whether they will be able long to support this burthen, and increase it, if necessary?

“The confederated States have no fixed revenues, nor are such revenues necessary, because all the private property in the country is at the public service. The only restriction imposed by the people is, that it be taken from them with wisdom and justice, or to be more explicit, that the sums required be proportionate to the public exigencies, and assessed on the individuals in proportion to their respective abilities.

“A nation can seldom be destitute of the means of continuing a war, while they remain unsubdued in the field, and cheerfully devote their all to that service. They may indeed experience great distress, but no distress being equal to that of subjection to exasperated oppressors, whose most tender mercies are cruel, the Americans had little difficulty in making their election.

A statement of the Public Debts.

“This subject your Excellency will find fully discussed in an address of Congress to their constituents, in which they compute their debts, and mention the means they had taken to preserve the public credit. It is also herewith enclosed, and marked No. 7.

A statement of the Debts of each particular State.

“Although exact accounts of these debts are contained in the public printed acts of each State; yet as I neither have any of those acts or extracts from them with me, and my general knowledge on this head is very imperfect, I am deterred from giving your Excellency any information respecting it, by the very great risk I should run of misleading you on this point.

The resources to lessen these Debts.

“Taxes; foreign and domestic loans; sales of confiscated estates, and ungranted lands.

The possibility of their supporting their credit in all the operations of Government, in the commerce of their inhabitants, and, above all, in the protection of national industry.

“As to the possibility of supporting their credit in the cases mentioned, there is no doubt it is very *possible*. How far it is *probable*, is a question less easy to answer. If the taxes called for by Congress last fall be duly paid, all will be safe. But whether they have been paid or not I am wholly uninformed, except that I find in a public paper that Virginia had made good her first payment. As I daily expect to receive advices from America on this subject, I shall postpone saying anything further on it at present, but your Excellency may rely on my communicating to you a full state of what intelligence I may have respecting it.

“As to supporting their credit in *commerce*, it is attended with considerable, though not insurmountable difficulties. They are of two kinds, the want of sufficient commodities for remittances, and the risk of transporting them. North America abounds in valuable commodities, such as fish, oil, lumber, provisions of flesh and corn, iron, tobacco, and naval stores, peltry, indigo, potash, and other articles, all of which have greatly diminished since the war; the laborers formerly employed in producing them having been often called to the field, and by other effects of the war been prevented from regularly following their usual occupations. Of some of these articles America still produces more than is necessary for her own consumption, but the risk of transporting them to Europe renders her remittances very uncertain. The asylum which all British armed vessels find in the ports of Portugal, enables them to cruise very conveniently and with great advantage off the Western Islands, and other situations proper for annoying vessels from thence to France, Spain, or the Mediterranean. Hence it is that the trade from America to St. Eustatia has of late so greatly increased, it being carried on principally in small, fast-sailing vessels, that draw but little water, and that the chief remittances to Europe have been in bills of exchange instead of produce.

“With respect to the protection of *national industry*, I take it for granted that it will always flourish where it is lucrative, and not discouraged, which was the case in North America when I left it:

every man being then at liberty, by the law, to cultivate the earth as he pleased, to raise what he pleased, to manufacture as he pleased, and to sell the produce of his labor to whom he pleased, and for the best prices, without any duties or impositions whatsoever. I have, indeed, no apprehensions whatever on this subject. I believe there are no people more industrious than those of America, and whoever recurs to their population, their former exports, and their present productions amidst the horrors of fire and sword, will be convinced of it.

By what means or what branches of commerce will the States of America have it in their power to indemnify Spain whenever this Power may second the views and operations of the Americans?

“America will indemnify Spain in two ways, by fighting the enemy of Spain and by commerce. Your Excellency will be pleased to remark that Spain as well as America is now at war with Britain, and, therefore, that it is the interest of both to support and assist each other against the common enemy. It cannot be a question whether Britain will be more or less formidable if defeated or victorious in America; and there can be no doubt but that every nation interested in the reduction of her power, will be compensated for any aids they may afford America, by the immediate application of those aids to that express purpose at the expense of American blood.

“Your Excellency’s well known talents save me the necessity of observing that it is the interest of all Europe to join in breaking down the exorbitant power of a nation which arrogantly claims the ocean as her birthright, and considers every advantage in commerce, however acquired by violence or used with cruelty, as a tribute justly due to her boasted superiority in arts and in arms.

“By establishing the independence of America, the empire of Britain will be divided, and the sinews of her power cut. Americans, situated in another hemisphere, intent only on the cultivation of a country more than sufficient to satisfy their desires, will remain unconnected with European politics, and not being interested in their objects, will not partake in their dissensions. Happy in having for their neighbors a people distinguished for love of justice and of peace, they will have nothing to fear, but may flatter themselves

that they and their posterity will long enjoy all the blessings of that peace, liberty, and safety, for which alone they patiently endure the calamities incident to the cruel contest they sustain.

“While the war continues, the commerce of America will be inconsiderable; but on the restoration of peace, it will soon become very valuable and extensive. So great is the extent of country in North America yet to be cultivated, and so inviting to settlers, that labor will very long remain too dear to admit of considerable manufactures. Reason and experience tell us that when the poor have it in their power to gain affluence by tilling the earth, they will refuse the scanty earnings which manufacturers may offer them. From this circumstance it is evident that the exports from America will consist of raw materials, which other nations will be able to manufacture for them at a cheaper rate than they can themselves. To those who consider the future and progressive population of that country, the demands it will have for the manufactures and productions of Europe, as well to satisfy their wants as to gratify their luxury, will appear immense, and far more than any one kingdom in it can supply. Instead of paying money for fish and many other articles as heretofore, Spain will then have an opportunity of obtaining them in exchange for her cloths, silks, wines, and fruits; notwithstanding which, it is proper to observe that the commerce of the American States will forever procure them such *actual wealth* as to enable them punctually to repay whatever sums they may borrow.

How far it may be convenient for these States to furnish ships-of-war, timber, and other articles for the King's arsenals without delay, and, if in their power, on what terms?

“I am much at a loss to determine at present, and therefore will by no means give your Excellency my conjectures for intelligence.

“It is certain that in ordinary times America can build ships as good and cheaper than any other people, because the materials cost them less. The ships-of-war now in her service, as to strength and construction, are not exceeded by any on the ocean. On this subject I will write to America for information, and give your Excellency the earliest notice of it. Naval stores, and particularly masts and spars, may certainly be had there, and of the best quality, and I

doubt not but that the Americans would carry them to the Havana or New Orleans, though I suspect their being in a manner destitute of proper convoys for the European trade, would render them backward in bringing them to Spain on terms equal to the risk of capture on the one hand, and the expectations of purchasers on the other.

II. THE MILITARY STATE OF NORTH AMERICA.

The number and strength of the American Troops, their present situation and ability to oppose the enemy, especially in Georgia and Carolina.

“Six months have elapsed since I left America, and I had not seen a return of the army for some time before that period. It did not, I am certain, amount to its full complement, and in my opinion did not in the whole exceed thirty or thirty-five thousand men ; I mean regular troops.

“The Commander-in-Chief, whose abilities, as well as integrity, merit the highest confidence, was authorised to conduct all the military operations in the United States at his discretion, subject, nevertheless, to such orders as the Congress might think proper from time to time to give. It is impossible, therefore, for me (not having received a single letter from America on these subjects since my arrival) to decide in what manner or proportions these troops are employed or stationed, though I am confident it has been done in the best manner.

“All the men of proper age in America are liable to do military duty in certain cases, and with a few exceptions, in all cases. The militia is for the most part divided into a certain number of classes, and whenever reinforcements to the main army, or any detachment of it, are wanting, they are supplied by these classes in rotation. These reinforcements while in the field are subject to the like regulations with the regular troops, and with them submit to the severest discipline and duty. Hence it is, that the people of America have become soldiers, and that the enemy have never been able to make a deep impression in the country, or long hold any considerable lodgments at a distance from their fleets. Georgia and South Carolina, indeed, enjoy these advantages in a less degree than the other States, their own militia not being very numerous, and speedy

reinforcements from their neighbors of North Carolina and Virginia rendered difficult by the length of the way. They have, nevertheless, given proofs of their spirit by various and great exertions, and I have reason to believe that all possible care has been taken to provide for their safety, by furnishing them with a proper body of troops under Major General Lincoln, a very good officer, as well as a very good man.

“Arms are still wanting in America, many of those imported proving unfit for use, and the number of inhabitants who were without proper arms at the beginning of the war, calling for great supplies. The army and a considerable part of the militia, especially in the northern States, have in general good arms.

“The article of clothing has been, and still is, a very interesting one to the American army. It is impossible to describe, and, indeed, almost impossible to believe the hardships they have endured for want of it. There have been instances, and I speak from the most undoubted authority, of considerable detachments marching barefooted over rugged tracts of ice and snow, and marking the route they took by the blood that issued from their feet; but neither these terrible extremities, nor the alluring offers of the enemy, could prevail on them to quit their standard, or relax their ardor. Their condition, however, has of late been much bettered by supplies from France and Spain, and American privateers; but adequate provision has not yet been made for the ensuing winter, and I cannot conceal from your Excellency my anxiety on that head. A supply of clothing for twenty thousand men, added to what is engaged for them in France, would make that army and all America happy.

“I foresee no other difficulties in providing subsistence for the American armies in every station in which they may be placed, than those which may attend the transportation of it. But when I reflect on the obstacles of this kind, which they have already met with and surmounted, I have little uneasiness about future ones. The last crops in America promised to be plentiful when I left it, but whether there would be any and what considerable overplus for exportation was then undetermined, the damages done the wheat in Maryland, Virginia, and North Carolina by a fly, which infested those countries not being to my knowledge at that time ascertained.

“How many ships-of-war belong to Congress is a question I cannot answer with certainty. I think there are not more than ten

or twelve in the whole. Of privateers there are a great number, but how many exactly has not been computed. In my opinion, they exceed one hundred, several of them very fine ships. The Governor of Martinique told me that in that island alone, the American privateers had brought and sold above five thousand African slaves, which they had taken from the enemy. Nine tenths at least of all the rum and sugar used in North America, these three years past, have been obtained in the same way, and to their successes have the public been indebted for the most seasonable and valuable supplies of military stores which they have received. I left several vessels on the stocks at Philadelphia, and heard of more in other parts.

“Upon the whole, his Majesty may rest perfectly assured that the Americans are determined, though forsaken by all mankind, to maintain their independence, and to part with it only with their lives; the desolations and distresses of war being too familiar to them to excite any other passions than indignation and resentment.

“That the country will supply its inhabitants with provisions, some clothing, and some articles of commerce.

“That there is no party in America in favor of returning under the dominion of Britain, on any terms whatever.

“That the King of France is very popular in America, being in all parts of it styled the protector of the rights of mankind, and that they will hold the treaty made with him inviolate.

“That the people in America have very high ideas of the honor and integrity of the Spanish nation, and of his Catholic Majesty especially, and that this respect and esteem unite with their interest in rendering them so desirous of his friendship and alliance.

“That the greatest difficulty under which America labors arises from the great depreciation of her bills of credit, owing principally to a greater sum having been emitted than was necessary for a medium of commerce, and to the impossibility of remedying it by taxes before regular governments are established.

“That great attempts, seconded by the general voice of the people, have been made to retrieve the credit of those bills by taxation, the issue of which was as yet uncertain, but if unsuccessful, a recurrence to taxes in kind was still left, and would be practised, though it is an expedient which nothing but necessity can render eligible.

“That if France and Spain were to unite their endeavors to

conquer Britain in America, by furnishing the latter with the necessary aids of ammunition, clothing, and some money, there is reason to believe, that the House of Bourbon would find it the most certain and least expensive method of reducing the power of their irreconcilable enemy, and not only command the gratitude and perpetual attachment of America, but the general approbation of all who wish well to the tranquillity of Europe, and the rights of mankind. Thus would that illustrious House erect glorious and lasting monuments to their virtues in the hearts of a whole people.

“I fear your Excellency will consider the intelligence here given less full and precise than you expected. I regret that it is not in my power to render it more so, but it is not. I hope, however, it will be thought sufficient to open a way to those further discussions, which must precede the measures necessary to bind America to Spain, as well as to France, and thereby complete the division and consequently the humiliation of the British Empire; a work too glorious and laudable not to merit the notice of so magnanimous a Prince as his Majesty, and engage the attention of a Minister of such acknowledged abilities as your Excellency.

“I flatter myself that the importance of the subject will apologize for my trespassing so long on your Excellency’s patience so soon after your return to Aranjues.

“I have the honor to be, &c.,

JOHN JAY.”

This letter gives occasion for many observations, which I am persuaded will not escape Congress, and therefore I forbear repeating them. Your Excellency will be pleased to observe that on some of the subjects of it I ought to be without delay apprized of the intentions of Congress, and furnished with such information and instructions as may be necessary to enable me to fulfil them.

On the 27th of April last, I received at Madrid a letter from the Committee of Foreign Affairs, enclosing copies of the resolutions of Congress of the 23d and 29th of November, 1779, for drawing on Mr. Laurens and myself for £100,000 sterling each. I went the next day to Aranjues, and the day after wrote to the Count de Florida Blanca, in the words following, viz :

“Aranjues, April 29th, 1780.

“Sir,

“By the address of Congress to their constituents on the subject

of their finances, which I had the honor of transmitting to your Excellency, you have doubtless observed, that in September last Congress came to a resolution of emitting no more bills than, with those already emitted and in circulation, would amount to \$200,000,000; that about the same time they called upon their constituents to raise money by taxes, and assigned the first day of January last for the first payment, at which day it was supposed that the bills to be emitted would be nearly expended.

“Congress perceiving that at once to stop the great channel of supplies that had been open ever since the war, and to substitute another equally productive, was not one of those measures which operate almost insensibly, without hazard or difficulty, and well knowing that if the first payment of these taxes should be delayed beyond the limited time, the treasury would be without money, and the public operations obstructed by all the evils consequent to it, they were of opinion, that collateral and auxiliary measures were necessary to ensure success to the great system for retrieving and supporting the public credit. So early, therefore, as the 23d day of November last, they took this subject into their most serious consideration, and, although they had the highest reason to confide in the exertions of their constituents, yet having received repeated assurances of his Majesty’s friendly disposition towards them, and being well persuaded that they could avail themselves of his Majesty’s friendship on no occasion more agreeable to him and advantageous to them, than on one so interesting to the United States, and important to the common cause, they adopted a measure, which, but for these considerations, might appear extraordinary, viz: to draw bills upon me for £100,000 sterling, payable at six months’ sight.

“The drawing bills previous to notice of obtaining money to satisfy them may at first view appear indelicate, but when it is considered that the whole success of this measure depended on its taking place between the 23d of November and the first of January last, in which period it was impossible to make the application, his Majesty’s magnanimity will, I am persuaded, readily excuse it.

As I shall always consider it my duty to give your Excellency all the information in my power, that may enable his Majesty from time to time to form a true judgment of the state of American affairs, it is proper that I should inform your Excellency, that Congress having reasons to believe that a loan might be obtained in Holland, did shortly

after my leaving America take measures for that purpose, and on the 23d of November last resolved to draw bills on Mr. Henry Laurens, to whom that business had been committed, for the sum of £100,000 sterling.

“I greatly regret that it was not in my power to advise your Excellency of these matters sooner; but it was not until the 27th instant, at Madrid, that I received the letter which informed me of them.

“As further remarks would draw this letter into greater length than the opinion I have of your Excellency’s discernment will permit me to think necessary, I forbear longer to engage your time and attention, than to request the favor of your Excellency to lay it before his Majesty.

“The eyes of America are now drawn towards him by their opinion of his virtues, and the situation of their affairs; and I flatter myself it will not be long before their hearts and affections will also be engaged by such marks of his Majesty’s friendship, as his wisdom and liberality may prompt, and their occasions render expedient.

With great respect and esteem, I have the honor to be, &c.,

JOHN JAY.”

On the subject of this and my former letter, I had a conference with the Count, on the 11th of May, 1780, of which the following are notes, taken immediately after it ended :

Aranjuez, May 11th, 1780.

Mr. Jay having waited on the Count de Florida Blanca, in consequence of a message received on the evening of the 10th, the latter commenced the conversation by observing that he was sorry that his ignorance of the English language prevented him from speaking with that ease and frankness with which he wished to speak in his conferences with Mr. Jay, and which corresponded with his own disposition and character.

He observed that he intended to speak on two points. The first related to the letter Mr. Jay had written to him, on the subject of bills of exchange drawn on him by Congress, that being an affair the most pressing and more immediately necessary to enter upon. He said that the last year he should have found no difficulty on that head, but that at present, although Spain had money, she was in the

situation of Tantalus, who, with water in view, could not make use of it; alluding to the revenue arising from their possessions in America, which they were not able to draw from thence. That their expenses had been so great in the year 1779, particularly for the marine, as to oblige them to make large loans, which they were negotiating at present. He entered into a summary of those expenses, and particularized the enormous expense of supporting thirty-five ships-of-the-line and frigates in French ports. He observed, that to do this they had prepared a very expensive and numerous convoy at Ferrol and other ports of Spain, loaded with provisions, naval stores, and every other article necessary for the squadron beforementioned, which convoy did not arrive at Brest until the day on which the Spanish fleet sailed from thence. That the supplies so sent had emptied their magazines at Cadiz, Ferrol, and other ports, and had frequently obliged them to buy at enormous prices the necessary stores to supply the fleet under the Admirals Cardova and Gaston, on their arrival in the ports of Spain. That they have been forced to sell these stores thus sent to France, and others purchased for the same purpose at Bordeaux, Nantes, and elsewhere, at half price; and added, that their loss on this occasion could scarce be calculated. This, joined to the other expenses, and the great losses they had sustained in their marine and commerce, but chiefly in the former, and the great expenses they were at in consequence thereof, rendered it difficult for the King to do for America what he could have done easily the last year, and which he declared repeatedly, and in the strongest manner, it was his intention to do, as might be judged from his conduct heretofore; touching slightly on the succors sent us from Spain, the Havana, and Louisiana, but dwelling on his conduct in the negotiation last year with Great Britain, in which he would on no account be brought to sacrifice the interests of America.

Such being his Majesty's disposition and intentions previous to the war, Mr. Jay might easily judge that he was not less determined at present to support their interests, whether formally connected with America by treaty or not. That, notwithstanding the losses and misfortunes sustained, the King's resolution, courage, and fortitude, induced him to continue the war, and therefore they were obliged to incur much expense in order to fill their magazines and make the necessary preparations for this campaign and the next, yet that it

was his Majesty's intention to give America all the assistance in his power. That it was as much his inclination as duty to second these dispositions, and that he had received the King's orders to confer with his colleagues thereon. He observed, however, that although he was First Secretary of State, he must first confer with them on this subject; and from his own personal inclinations to second the King's intentions and to serve America, he was desirous of concerting with Mr. Jay measures in such a manner as would prevent him from meeting with opposition from his colleagues, and therefore he spoke to him not as a Minister, but as an individual.

In order to facilitate this, he said it was necessary to make some overtures for a contract, in case Mr. Jay was not absolutely empowered to make one; and then he pointed out the object most essential to the interests of Spain at the present conjuncture. He said that for their marine they wanted light frigates, cutters, or swift-sailing vessels of that size. That for ships-of-the-line, they could procure them themselves; that if America could furnish them with the former, they might be sent to their ports in Biscay, loaded with tobacco or other produce, and, discharging their cargoes, be left at the disposition of Spain. He also mentioned timber for vessels, but said that was an article not so immediately necessary, though it might be an object of consequence in future. He observed that he mentioned this at present in order that Mr. Jay might turn his thoughts on that subject as soon as possible, and that he would, in order to explain himself with more precision, send him, either on Saturday or Sunday next, notes containing his ideas on this subject, and adding that he hoped that the one, viz: Jay, would assist the other, meaning himself, to manage matters in such a way as to procure the means of obtaining for America present aid.

With respect to the bills of exchange which might be presented, he said that at the end of the present year, or in the beginning of the next, he would have it in his power to advance twenty-five, thirty, or forty thousand pounds sterling; and in the mean time, should these bills be presented for payment, he would take such measures as would satisfy the owners of them, viz: by engaging, in the name of his Majesty, to pay them, observing that the King's good faith and credit were so well known, that he did not imagine this would be a difficult matter. He also said, that in consequence of

what Mr. Jay had written with respect to clothing for the American army, it might be in his power to send supplies of cloth, &c., which he would endeavor to do.

Mr. Jay, in answer, assured him of his high sense of the frankness and candor with which he had been so obliging as to communicate the King's intentions and his own sentiments, and gave him the strongest assurances that he should, for his part, with the same frankness and candor, give him all the assistance and information in his power to forward his generous intentions in favor of his country, and that he might depend that, in doing this, he would neither deceive him in his information, nor mislead him by ill-grounded expectations.

The Count then expressed his confidence in these assurances, said he had been well informed of the characters, both of Mr. Jay and Mr. Carmichael, (who was present at the conference,) and said, that he considered them as *les hommes honnêtes*, and that no consideration could have prevailed upon him to have treated with men who did not sustain that reputation.

The Count then proceeded to the second point, viz : with respect to the treaty in contemplation between Spain and America. He began by observing, that he now spoke as a Minister, and as such, that he would be as candid and frank as he had just been speaking as a private man ; and that it was always his disposition to do so with those from whom he expected the same conduct. He then proceeded to observe, that there was but one obstacle from which he apprehended any great difficulty in forming a treaty with America, and plainly intimated that this arose from the pretensions of America to the navigation of the Mississippi. He repeated the information which the Court had received from M. Mirales, that Congress had at one time relinquished that object ; that he also knew from the same source, that afterwards they had made it an essential point of the treaty. He expressed his uneasiness on this subject, and entered largely into the views of Spain, with respect to the boundaries. (He mentioned Cape Antonio and Cape _____, and expressed their resolution if possible, of excluding the English entirely from the Gulf of Mexico.) They wished to fix them by a treaty, which he hoped would be perpetual between the two countries. He spoke amply of the King's anxiety, resolution, and firmness on this point, and insinuated a wish that some method might be fallen upon to remove this obstacle. He observed, that the King had received all his

impressions with respect to the necessity of this measure previous to his being in place, and appeared to regard it as a point from which his Majesty would never recede, repeating that still, however, he was disposed to give America all the aid in his power, consistent with the situation of his affairs, to distress the common enemy ; that this point being insisted on, it would be necessary for the court of Spain to obtain the most accurate knowledge of local circumstances, with which he supposed Mr. Jay and his constituents were more fully apprized than his Majesty's Ministers could be. That for this purpose they had already written to the Havana and Louisiana, in order to obtain all the necessary information, which he gave reason to believe they had not yet received. He dwelt on the necessity of this information previous to any treaty, and expressed his own regret that ways and means could not be found to obviate or overcome this impediment.

Mr. Jay here took an opportunity to mention that many of the States were bounded by that river, and were highly interested in its navigation, but observed that they were equally inclined to enter into any amicable regulations which might prevent any inconveniences with respect to contraband or other objects, which might excite the uneasiness of Spain.

The Count still, however, appeared to be fully of opinion, that this was an object that the King had so much at heart, that he would never relinquish it, adding, however, that he hoped some middle way might be hit on, which would pave the way to get over this difficulty, and desired Mr. Jay to turn his thoughts and attention to the subject, in which he assured him he was as well disposed to assist him, as in the means of procuring the assistance and succors for America beforementioned ; always repeating the King's favorable disposition, his inviolable regard to his promises, &c., &c. On this subject he also subjoined, that whenever Mr. Jay chose to go to Madrid he desired to have previous notice of it ; for in those cases he would leave his sentiments in writing for him with Mr. Carmichael, or if he should also go to Madrid, that he would then write to Mr. Jay there, to which he might return an answer by the *Parle* (a post which goes to and from Madrid) to Aranjues, every twenty-four hours.

Mr. Jay expressed his full confidence in what the Count had done him the honor to communicate to him, and assured him of his satisfaction and happiness in having the good fortune to transact a

business so important to both countries, with a Minister so liberal and candid in his manner of thinking and acting.

The conference ended with much civility on the one part and on the other, and with an intimation from the Count, that he should take an opportunity of having the pleasure of Mr. Jay's company at dinner, and of being on that friendly footing on which he wished to be with him.

What passed in the course of this conference needs no comment, though it calls for information and instructions. If Congress remains firm, as I have no reason to doubt, respecting the Mississippi, I think Spain will finally be content with equitable regulations, and I wish to know whether Congress would consider any regulations necessary to prevent contraband, as inconsistent with their ideas of free navigation. I wish that as little as possible may be left to my discretion, and that as I am determined to adhere strictly to their sentiments and directions, I may be favored with them fully, and in season.

The Count de Florida Blanca had upon all occasions treated me with so much fairness, candor, and frankness, that between the confidence due to him and the footing I was and ought to be on with the French Ambassador, I was embarrassed exceedingly, especially as there is little reason to doubt of their being on confidential terms with each other. I was reduced to the necessity, therefore, of acting with exquisite duplicity, a conduct which I detest as immoral and disapprove as impolitic, or of mentioning my difficulties to the Count, and obtaining his answers. I preferred the latter, and wrote the following letter to the Count de Florida Blanca :

“Aranjues, May 12th, 1780.

“Sir,

“It is with the utmost reluctance that I can prevail upon myself to draw your Excellency's attention from the great objects that perpetually engage it. But the liberality, frankness, and candor, which distinguished your conduct towards me the last evening, has impressed me with such sentiments of correspondent delicacy, as to place me in a most disagreeable situation.

“Deeply sensible of the benefits received by my country from their illustrious ally, prompted by duty and inclination to act not only with the highest integrity, but the greatest frankness towards him and his Minister, and influenced by the good opinion I have

imbibed of the talents, attachment, and prudence of the Count de Montmorin, I have given him and his Court assurances that he should receive from me all that confidence which these considerations dictate. These assurances were sincere ; I have most strictly conformed to them, and as no circumstances of delicacy forbid it, I have communicated to him the information I gave your Excellency relative to American affairs, and the resolution of Congress for drawing bills upon me, these being the only transactions within my knowledge and department which related to that proposed connexion between Spain and America, for the accomplishment of which the King of France has been pleased to interpose his kind offices with his Catholic Majesty.

“ But, sir, my feelings will not allow me to permit the confidence due to one gentleman to interfere with that which may be due to another. Honor prescribes limits to each, which no consideration can tempt me to violate. You spoke to me last evening in the character of a private gentleman, as well as of a public Minister, and in both without reserve. Let me entreat your Excellency, therefore, to inform me whether I am to consider your conferences with me, either in the whole or in part, as confidential. I am apprized of the delicacy of this question. I wish I could know your sentiments without putting it. I assure you my esteem and respect are too sincere and too great not to make me regret every measure that can give you an uneasy sensation. On this occasion I am urged by justice to you as well as to myself, and that must be my apology.

“ Unpractised in the ways of courts, I rejoice in finding that I am to transact the business committed to me with a gentleman who adorns his exalted station with virtues as well as talents, and looks down on that system of finesse and chicanery which, however prevalent, wisdom rejects and probity disapproves.

“ With sentiments of attachment and esteem, I have the honor to be, &c.,

JOHN JAY.”

To this I received the following answer :

Translation.

“ Aranjues, May 14th, 1780.

Sir,

“ Sensible of the favorable opinion you are pleased to entertain of my conduct, both as a Minister and a private gentleman, I have the

honor to assure you that on every occasion you shall experience nothing but frankness and candor on my part. Besides that my own principles are invariable on these points, I am certain thereby to follow the example and good intentions of the King my master.

“The delicacy which induced you to doubt whether there would be any impropriety in communicating to the Ambassador of France the explanation we had in the course of our late conference, accords well with the idea I first formed of your character, and I am pleased with this mark of your attention. Besides, it appears to me that you may do it freely, especially as those explanations are founded on principles of equity and wisdom, for the benefit of the common cause.

But if, hereafter, circumstances demand a more pointed reserve, by accidents we cannot now foresee, we shall always have time to agree upon those points, which it may be necessary to keep secret.

“I am, sir, with the most sincere attachment, and the most perfect consideration, your most humble and most obedient servant,

“COUNT DE FLORIDA BLANCA.”

I have not yet received from his Excellency the notes mentioned in the conference, and therefore cannot have the satisfaction of sending copies of them to Congress by this opportunity.

On the 9th of April, 1780, Sir John Dalrymple arrived here from Portugal with his lady. On the evening of the 10th I heard of it, and the next morning sent the following card to the French Ambassador at Aranjues, viz :

“Mr. JAY presents his compliments to his Excellency Count Montmorin, and informs him that Sir John Dalrymple arrived here the day before yesterday from Lisbon; and it is said intends to be at Aranjues to-day. What business should call this gentleman here, or enable him to obtain license to come, are questions which I am persuaded will receive from your Excellency all the attention due to their extent and importance.

Madrid, May 11th, 1780.

To this I immediately received the following answer on that subject, viz :

Translation.

“M. de MONTMORIN received this morning Mr. Jay’s note, and thanks him for the information. M. de Montmorin is fully sensible

of the importance of it, and although he is far from entertaining the least doubt on the sentiments of the Spanish Ministry, he will not fail to take the precaution to be informed of every thing connected with Sir John Dalrymple's arrival. He advises Mr. Jay to follow the same course. Courts are so beset with intrigues, that nothing should be neglected which may tend to discover them. He repeats that he has not the slightest cause to suspect the Spanish Ministry, but on the contrary, has the strongest reasons for confiding in its integrity and honor. M. de Montmorin begs Mr. Jay to accept his compliments, and to present his respectful homage to Mrs. Jay."

Learning that Sir John had obtained leave to go to France in his way to England, I apprized Mr. Adams of it in a letter of the 26th of April, 1780, of which the following is an extract :

"Sir John Dalrymple is here; he came from Portugal for the benefit of his lady's health, as is said. He is now at Aranjues. He has seen the Imperial Ambassador, the Governor of the city, Senior Compomanes, the Duke of Alva, and several others named to him I suppose by Lord Grantham, who I find was much respected here. He will return through France to Britain. I shall go to Aranjues the day after to-morrow, and shall form some judgment of that gentleman's success by the conduct of the Court towards America."

On waiting on the Count de Florida Blanca, a few days afterwards at Aranjues, he told me that Sir John had applied to him to obtain from him permission to go through Spain to France, and to the French Minister for a passport through that kingdom to England. The indisposition of his lady was the reason assigned for not going from Portugal by water. That in conversation, Sir John took occasion to say several things respecting the war, and the manner of drawing it to a conclusion. That the Count desired him to reduce what he would wish to say on that subject to writing, and that Sir John thereupon sent him a paper entitled "A Historical Anecdote," of which the following is a copy :

A project of Lord Rochford to prevent the war.

"Before the declaration of France in favor of America, Lord Rochford, formerly Ambassador in Spain and in France, formed a project to prevent the war. It was, that England should propose a great treaty of confederation between France, Spain, Portugal, and

England, the objects of which should be the three following : the first, a mutual guarantee between these four Powers of their possessions in America and the two Indies, with a proviso, that a war in Europe should never be a war in those remote regions on any pretext whatever, fixing also the number of troops and vessels to be furnished by the contracting Powers against the Power that should contravene the peace in those distant parts. The second object was, to grant a participation in the commerce of America to France, Spain, and Portugal, as far as such participation might not be incompatible with the common interests, and without the rivalry of English America and England. The third object was, the adjustment of the contested privileges of the Americans upon principles just and honorable for them. Lord Rochford was at that time Secretary of State. He told me that the first person to whom he had communicated this project was the late Prince of Mazarano, Ambassador of Spain, and that though old and indisposed, he arose and embraced him, and said, ‘ Ah ! my Lord, what divinity has inspired you ? ’ Lord Rochford also communicated it to a friend of his, who was then and still continues one of the Ministers of the King of England, who gave it his approbation ; but Lord Rochford soon after quitted the Ministry and retired to the country, by which accident the project failed of being presented to the Cabinet of the King.

“ I have given a relation of this anecdote, because I am one of the four or five persons who alone know the truth of it, and because I am of opinion that it is not yet too late to revive a project which will save a million of Christians from becoming widows and orphans. As to the first object of such a confederacy, Lord Rochford did not doubt of the proposition’s being accepted by all the Powers, because it was the interest of all to accept it. The losses of France in the two Indies the last war, and their misfortunes in the East Indies in the present one, where in six weeks they have lost all they possessed ; the losses of the Spaniards in the last war in the two Indies, and even the stroke the other day in the Bay of Honduras by a young captain with a handful of soldiers ; the facility with which Portugal lost the Island of St. Catharine in the Brazils, and the misfortunes of the English armies the three last years in America, all prove that France, Spain, Portugal, and England, have their tender parts in America and the two Indies, and of consequence,

that they have all an interest in a mutual guarantee of their possessions in those three parts of the world.

“As to the second object of the confederacy, I am sensible that the idea of the other three Powers participating in the commerce of America, under the limitation of its not being incompatible with the common interests of English America and England, is an idea somewhat vague and subject to disputes. But fortunately for humanity, there are five persons in those five countries of characters which render them proper to draw the outlines of some determinate regulations which will admit of no disputes, and may enrich France, Spain, and Portugal, without impoverishing England and her Colonies. In America there is Doctor Franklin, perhaps the first genius of the age, who is well acquainted with the commercial connexions between America and England; France has her Comptroller-General, who from his youth has been brought up in the practice of commerce; in Spain we find M. Campomanes, who has employed the maturity of his life in studies that give him a superiority in discussions of this kind; Portugal will be assisted by the counsels of the Duke of Braganza, who has gathered knowledge in almost every field, in courts, in libraries, and even on the exchanges of the merchants of Europe; and as for England, she has a Minister who, thoroughly versed in the true interests of commerce, will not refuse to America what he has just granted to Ireland.

“As to the third object of the confederation: England, who much boasts of her own *Magna Charta*, will make no difficulty in granting a *Magna Charta* to the liberties of America. Perhaps the best means to expedite this measure would be to give a *carte blanche* to Dr. Franklin. A generous confidence is the surest means to secure a generous man. Spain has two very solid interests in the success of such a confederacy, and against the independence of America. The first is, that if English America becomes independent, Spanish America will be overrun with the contraband of the Americans thus independent of England. 1. England is bound by treaties with Spain not to carry on the contraband trade. 2. She is restrained by the fear of this contraband's drawing a war upon her in Europe, which was the consequence of it in the times of Sir Robert Walpole. 3. The dearth of English and European commodities sets natural bounds to the quantity of this contraband. But when the

Americans are independent, they will say, first, they are not bound by the treaties of the English; secondly, they will not be restrained by fear, being so far from Spain, and having defended themselves against eighty thousand English soldiers and marines, they would but little dread the forces of Spain; and thirdly, the low price of American commodities will cover the Spanish Colonies with contraband. Indeed, necessity itself will oblige the Americans either to carry on this contraband, or to make war on Spanish and Portuguese America and their Islands. They have neither gold nor silver among themselves, and without these precious metals, they can neither cultivate their lands nor carry on commerce. They will only have four sources from whence to draw them; first, their commerce with Europe; secondly, pensions from France and Spain; thirdly, a contraband trade with the Provinces of Spain and Portugal in the new world; and fourthly, a war in these Provinces.

“While the Americans continue in a state which the English call rebellion, their commerce with Europe will be interrupted by English cruisers. Thus they will draw but a small quantity of these precious metals from this first source. The pensions of France and Spain will be much too inconsiderable to support the agriculture and manufactures of so extensive a country. Their only remaining source, then, for these metals will be in the contraband or wars with the Spanish and Portuguese Provinces. To prevent this contraband, the treaty of confederation might make provision against the contraband both of the English and Americans. It is a delicate point for an Englishman to suggest the means, but were the two nations sincerely disposed for peace, I could in a quarter of an hour suggest the infallible means.

“Spain has another interest, perhaps still greater, against the independence of the Americans, and consequently in favor of the treaty in question. The Americans, who will be able to fly with their sails wherever they please, will make establishments in New Zealand, the Islands of Otaheite, or some other Islands in the South Sea, from whence they will torment the Spaniards in that sea, and even the English, the French, the Portuguese, and the Dutch, in the East India seas. Being independent, no treaty will prevent their making such establishments. They may make them consistent with the laws of nations. Captain Cook, in his last printed voyages, says there are forty-seven thousand sea-faring people in the Island

of Otaheite alone; and Captain Wallis, who discovered those Islands, told me at Lisbon a few days ago, that the inhabitants of Otaheite went to the mast-head of the English ships, and ran on the yard-arms as well in three days' time as the English mariners, and gave me two reasons for it. The first was, that living on fish, they are all sea-faring people; and the second, that those who wear no shoes, are always the most dexterous in mounting the upper parts of a ship. Captain Cook also in the same voyage gives a description of a port and city in New Zealand, which might in a few weeks be made impregnable, and one needs only look at the shape of the Islands in the South Seas in the maps we have of them, to be convinced that they have no small number of these impregnable ports.

“I show myself as much a friend to Spain, to France, to Portugal, and Holland, as to England, in disclosing the following idea, which may have escaped others. Heretofore it was impossible to go to the South Seas with any safety, but in the months of December and January, and by the dreadful latitudes round Cape Horn. But the late discoveries of Captain Cook and other Englishmen have demonstrated the practicability of going thither in every month of the year, round the Cape of Good Hope, and the fine latitude of New Zealand, and in almost the same time; the one being a passage of four and the other of five months. Because the same west wind, which blows almost the whole of the year, and retards the vessels passing by Cape Horn, carries them with rapidity by the Cape of Good Hope and New Zealand. Hence, it follows, that when the Americans quarrel with Spain, perhaps on the subject of the contraband, they will send their ships on the coast of Chili from their establishments in the South Seas, by the latitudes of New Zealand, and with the west winds which always blow in that quarter. This is a voyage of only five weeks; for Captain Cook in one voyage, and Captain Fournaux in another, went from New Zealand to Cape Horn in less time, and the journal of the winds annexed to the voyage of Captain Cook, shows that the west winds in those latitudes bear to the east the proportion of ten to one. When their vessels are on the coast of Chili, they will take the advantage of the land wind, which, blowing constantly from south to north, will carry them along the coasts of Chili and Peru. With this wind they will go in fourteen days to the Bay of Panama, and in the course of this voyage they will ravage the sea-coasts, and

make prizes of all the vessels they meet. The naval force of Spain at Lima will not have it in their power to hinder them, for the same south wind, which will push the Americans forward, will prevent the fleets of Spain going to meet them. From the Bay of Panama they will return by the great wind of the tropics, which never fails blowing from east to west, either to their settlements in the South Seas, or to sell their prizes in the seas of China or India, from whence they will perhaps again return with new vessels, newly manned, to repeat their ravages. Their return will either be by New Zealand in coming from the Indies, or by the latitude of forty north in coming from China. In this last case they will fall on Mexico, and profiting of the land winds which always blow there from north to the Bay of Panama, they will ravage Mexico as before they ravaged Chili and Peru. From the Bay of Panama they will return by the great tropic wind, either to their own homes in the South Seas or to the seas of Asia, to renew a war, insulting, tormenting, and without remedy.

“On the other hand, when at war with England, France, Portugal, or Holland, they will direct their course from their establishments in the South Seas, and fall upon the possessions of those Powers in the East Indies. They will have two great routes to go and return by; the one to the west of New Zealand, the other by the islands between China and New Holland, and in this they will have as many passages as there are islands. Thence follows the impossibility of waylaying their vessels, either going or on their return. These consequences may all be prevented by the treaty proposed by Lord Rochford, in which it might be stipulated that these islands shall forever belong to their present inhabitants and their posterity, for certainly the nation who shall first possess herself of them will command the commerce of the South Seas and those of Asia.

“Europe, wishing for the independence of America, resembles a man asleep on ice, and not sensible that ice thaws, and therefore to give the greater weight to the confederation, Holland and Denmark, who have interests in both the new worlds, might be invited to become contracting parties to those articles of treaty, which regard the mutual guarantee.

“The reason of the frequent breach of treaties is, that they are made without provision for the future reciprocal interests of the

contracting nations. The only ones that I know of, that pay attention to this object, are the treaties between Portugal and England, by which Portugal gains a preference for the sale of her wines in England, and England for the sale of her cloths in Portugal. The consequence is, that there never has, and in appearance never will be, a war between Portugal and England. It would not be difficult, either in the general confederation, or by separate treaties of commerce between England on the one part, and the three kingdoms of Spain, Portugal, and France, respectively, on the other, to advance infinitely the commercial interests of all three by their connexions with England. Spain having wines, oil, fruits, salt, fine wools, and some other articles, which England has not, and England having iron, with coal in the same fields for the manufacturing of it, and by the moistness of her climate long wool for cloths of a low price, also tin, fish, with some other articles which Spain has not; it follows, that when England is rich she will buy more articles of Spain, and when Spain is rich she will buy more articles of England, and, consequently, that one cannot enrich herself without enriching the other. The same reasoning applies to the natural connexions between England and Portugal. There is even a natural connexion between England and France in many articles of commerce, if the jealousy of fools and misinformed persons did not perpetually interrupt it. I have heard, from certain authority, that had the Abbé Terray continued in the Ministry of France, there would have been a tariff between France and England for the entry, on the most favorable conditions, of the wines and articles of mode of the one nation, and the manufactures of iron, and wheat of the other, and England might have procured the consent of Portugal for the diminution of her commerce of wines with England by other indemnifications. England in favor of France, Spain, and Portugal, might, without injury to herself, even permit the exportation of those wools, paying a duty at the exportation thereof. The exportation of the superfluous wool would be an advantage to the proprietors of lands in England, to the King in furnishing him a new revenue, and to those three nations in giving them an article necessary for their manufactures.

“Unfortunately for humanity, the Abbé Terray is no more; but happily for humanity, Dr. Franklin, the Comptroller General of France, M. Compomanes, the Duke of Braganza, and Lord North,

are all still living, and the King of Spain, with the Count de Florida Blanca, may put all these five in motion.

“For my part, I have no authority from the English Ministers to present this project, but living in friendship with the greater part of them, and on an intimate footing with the others, I am certain that some of the sentiments in this memorial correspond with their manner of thinking on the subject. I confess I received a letter in Portugal, fourteen days before my departure for Spain, from Lord Rochford, who is not at present in the Ministry, but who is so taken up with a project that does him so much honor, that he has advised me to feel the pulses on the possibility of making it succeed, and that I have a letter on the same subject from the Duke of Braganza, who entered into the views of my Lord Rochford not as a politician, but as a friend to humanity.

“Encouraged by such men, and still more by the dictates of my own heart, I wrote to one of the English Ministers, that if I did not find minds too much heated, and there was no danger of giving offence, I intended to do justice to the project of my Lord Rochford, in Spain and in France, and begged him to send me an answer to Paris whether the Ministry of England approved or disapproved my intentions.

“I have only to add, that my views being to unite, and not to separate nations, I have no objection that the Ministers of France and Dr. Franklin should each have a copy of this memorial.”

The Count spoke of Sir John and his anecdote very properly, and concluded with assurances of the King's firmness.

The manner in which Sir John speaks of Dr. Franklin, however just, I impute to a design of injuring the confidence reposed in him by his constituents.

The house of Gardoqui at Bilboa are rich, in favor with the Ministry, and friends to America. The Navy Board have sent to them for goods for the use of the navy, and have remitted to them only an inconsiderable part of the sum to which they will amount, desiring the residue on credit, and promising speedy payment. One of the house now here spoke to me on the subject; I advised him to complete the orders. It is of the utmost consequence that the Navy Board be punctual in their remittances. American credit is not high, and ought to be higher. I am the more anxious on this subject, as that house is exceedingly well disposed, and a disappointment would

not only be injurious to them, but much more so to us. Perhaps it would be a good rule if the United States were to contract debts only with Governments, and never with individuals abroad.

I received a letter last week from a Captain Hawkins at Cadiz, informing me that the Americans, who had escaped from captivity, and were collected there, were fitting out a vessel for America, which they were arming, and wished to be enabled to act offensively and defensively in their way home, by having a proper commission from me for that purpose. As I had neither blank commissions nor authority to grant them, I referred him to Dr. Franklin.

Congress will be pleased to consider how far it may be proper to remove these obstacles by sending me both. This leads me again to remind your Excellency of several letters I wrote you from Cadiz, respecting American seamen coming to Spain from captivity at Gibraltar and other places. As copies of these letters have been sent by different vessels, I presume some of them have reached you. It certainly is necessary that provision be made for these people, and in a regular established manner. I am very desirous of instructions on this subject.

The credit given me by Congress on Dr. Franklin is expended, and I am without other means of obtaining supplies than by private credit, which I am at a loss to satisfy. To apply to, and be maintained by, the Court, is, in my opinion, too humiliating to be for the public good; and as yet I have neither received nor heard of remittances from America. It would give me pleasure to know in what manner Congress mean I should be supplied, and whether any measures have been taken for that purpose.

I am much embarrassed for the means of conveying and receiving intelligence. Being at a great distance from the sea, all my letters to and from thence here must either be conveyed by private couriers or the public post. All my letters by the latter, whether in France or Spain, are opened. By that conveyance, therefore, it would not always be proper to write either to Congress, to Dr. Franklin, Mr. Adams, or others, with that freedom which would often be useful, and sometimes necessary. The salary allowed me, so far from admitting the expense of private couriers, is inadequate for the common purposes for which it was given. This is a delicate subject, and I wish it was not my duty to say anything respecting it. This place is the dearest in Europe. The Court is never stationary,

passing part of the year in no less than five different places, viz : Madrid, Pardo, Aranjues, St. Ildefonso, and the Escorial ; hence considerable expenses arise. I forbear enumerating particulars, my design being only to mention this matter to Congress, not to press it upon them. I shall always live agreeably to my circumstances ; and if, from their being too narrow, inconveniences result to the public, they ought to be informed of it. I hope what I have said will be viewed in this light only ; so far as I am personally interested, I am content.

Mr. Harrison, a gentleman of Maryland, now here, will be the bearer of this letter to Cadiz. I therefore embrace this good and unusual opportunity of being so minute and explicit in it.

The family of Galvez is numerous and of weight. The one on the Mississippi has written favorably of the Americans to his brothers here, three of whom are in office. It would be well to cultivate this disposition whenever opportunities of doing it offer.

The resolution providing for Spanish prisoners at New York was well judged.

Dr. Franklin is more advantageously circumstanced than I am to gain and transmit to Congress intelligence of the disposition of Holland and of the Northern Powers.

From the conduct of their Ministers here, I have no reason to predict much to our advantage. They are cold, and I have received nothing more than common civility from any of them except the Ministers of Holland and Sweden, and indeed not much more from them. Perhaps they have been rendered unusually cautious by an extract of a letter from Madrid in the Leyden paper, mentioning the precious reception Mr. Carmichael met with here, and the attentions he received from the foreign Ministers. You have probably seen it in the *Courier de l'Europe*.

From what I hear of the character of the Empress of Russia, I cannot but think that a prudent agent there would be very useful. They say she is sensible, proud, and ambitious. Hence I infer that such a mark of attention would be grateful, and consequently useful.

I should have given your Excellency seasonable intelligence of the Spanish fleet and armament, which lately sailed from Cadiz, as I believe to the Havana, and whose objects I suspect to be the Floridas or Jamaica, or probably both, but I omitted writing on that subject previous to the departure of the fleet, from a persuasion that any

letters by the post containing such advices would not be permitted to proceed, and therefore I thought it unnecessary; nor will I now swell the pages of this letter, already very voluminous, by entering into particulars relative to it, especially as that armament will probably have begun its operations before this letter will come to your Excellency's hands.

The reports of dissensions in Congress, which prevailed here prior to my arrival, and the causes to which they were ascribed, had filled this Court with apprehensions; and it gives me pleasure to assure you that the present appearance of union in Congress is attended here with very happy effects.

The people in this country are in almost total darkness about us. Scarce any American publications have reached them, nor are they informed of the most recent and important events in that country. The affairs of Stony Point, Paulus Hook, &c., &c., had never been heard of here, except perhaps by the great officers of State, and they could scarcely believe that the Roman Catholic religion was even tolerated there.

There are violent prejudices among them against us. Many of them have even serious doubts of our being civilized, and mention a strange story of a ship driven into Virginia by distress, about thirty years ago, that was plundered by the inhabitants, and some of the crew killed in a manner and under circumstances which, if true, certainly indicate barbarity. The King and Ministry are warm, yet I have reason to believe that the bulk of the nation is cold towards us; they appear to me to like the English, hate the French, and to have prejudices against us.

I mention these things to show in a stronger light the necessity of punctuality in sending me from time to time all American intelligence of importance, and observing such conduct towards Spaniards in general as may tend to impress them with more favorable sentiments of us. There was a little uneasiness among the mercantile people, at Cadiz respecting the capture of some Spanish vessels by privateers. I hope the former have had ample justice done them; it certainly is of great importance that they should have reason to be satisfied.

Your Excellency may observe that I have written very particularly. Both this Court and that of France have very particular information respecting the proceedings of Congress.

Want of prudence, rather than virtue, I believe to be the cause. I nevertheless think it my duty to give Congress from time to time full information of their affairs here, and shall not be restrained by the apprehension of any consequences that may result from want of secrecy there. I make it a rule to write on these subjects only to Congress, and to them very particularly.

I have the honor to be, &c.,

JOHN JAY.

P. S. Congress may think it extraordinary that Mr. Carmichael's hand-writing does not appear in this letter. He is, with my approbation, now at Aranjues, and I must do him the justice to say, that he is always ready and willing to do his duty as Secretary.

J. J.

—o—

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Madrid, May 27th, 1780.

Gentlemen,

On the 27th of last month I had the pleasure of receiving your favor of the 11th of December, 1779, with copies of the resolutions of Congress, for drawing on Mr. Laurens and myself for one hundred thousand pounds sterling each.

I had the honor of writing to Congress yesterday very fully respecting their affairs in this kingdom, and particularly on the subject of those resolutions.

I have not yet had the pleasure of hearing of Mr. Laurens's arrival, about which I am anxious. Be pleased to assure Congress that Mr. Laurens shall receive from me every mark of attention, and all the aid in my power to afford. The latter I fear will not be great.

I have the honor to be, &c.,

JOHN JAY.

—o—

TO JAMES LOVELL.

Madrid, May 27th, 1780.

Sir,

Eight days ago I had the pleasure of receiving a packet containing journals and newspapers.

From an endorsement I conjecture that I am indebted to you for it. There was no letter enclosed in it. I am much obliged by this

attention. American intelligence is of more importance here (where they have little of it) than can well be imagined.

I have the honor to be, &c.,

JOHN JAY.

—O—

WILLIAM CARMICHAEL TO JOHN JAY.

Aranjues, May 27th, 1780.

Dear Sir,

Since my letter of the 25th instant, I have very strong reason to believe, in consequence of conversations I have had with persons who ought to be well informed, that the fleet and troops, which sailed from Cadiz the 28th ultimo, are destined in the first instance to the Windward Islands, to act in concert with the squadron of the Count de Guichen, from thence as circumstances may render it proper they will proceed to Jamaica or the Floridas; for it appears to be the intention of the Spanish, as well as of the French Court, to detach a part at least of their force in the Islands to the continent, as soon as the hurricane season in the West Indies renders it dangerous for them to act against the enemy in that part of the world. I do not mention by letter my source of information, because I do not choose to hazard the loss of intelligence which I may gain from the same persons by the miscarriage of letters. I shall, however, mention it to you *vivá voce*, in order to enable you to judge of the credit due to my information.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

—O—

TO THE PRESIDENT OF CONGRESS.

Madrid, May 28th, 1780.

Sir,

Since closing my letter of the 26th instant, I have received from Mr. Carmichael the interesting intelligence contained in the enclosed paper.* He is now here, and has communicated to me the channel through which he obtained it, from which I think his information deserves belief, and his address in obtaining it, credit.

I have the honor to be, &c.,

JOHN JAY.

* See the preceding letter.

TO THE PRESIDENT OF CONGRESS.

Madrid, May 28th, 1780.

Sir,

In the journal of the proceedings of Congress of November, 1779, I find that on the 8th day of that month they were pleased to come to the following resolution: "Resolved, that the late and former Presidents of Congress be desired to lodge as soon as they conveniently can in the Secretary's office, copies of all public letters by them respectively written during their Presidentship." After I resigned the chair, and immediately on your Excellency's election, I delivered a book containing copies of the public letters I had written during my Presidentship to your Excellency, who promised to lodge it in the Secretary's office, which I am persuaded was accordingly done. It gives me concern, therefore, to find this resolution is made to extend to me, and I flatter myself Congress will do me the justice to let it appear by the entry to be made on their journals of the receipt of this letter, that I had done that part of my duty in season, and without their express request.

I have the honor to be, &c.,

JOHN JAY.

—o—

TO THE PRESIDENT OF CONGRESS.

Madrid, May 30th, 1780.

Sir,

On the 26th instant I had the honor of writing a very long and particular letter to your Excellency, by the way of Cadiz, of which a duplicate has also been sent. To the contents of that letter I have nothing new to add, except that two of the bills directed to be drawn upon me have arrived.

I shall go to-morrow to Aranjues, from whence I shall embrace the first opportunity of communicating to Congress the further progress of their affairs here.

I have the honor to be, &c.,

JOHN JAY.

—o—

DE NEUFVILLE AND SON TO JOHN JAY.

[Without date.]

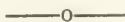
Sir,

By vessels lately arrived from the Continent, and from St. Eustatia,

there appeared here some bills drawn by the Treasurer of Loans in America on Henry Laurens, Commissioner for the States in Amsterdam. Everybody has been surprised at it, and we in particular, as we were directly applied to. We said at the first, that we expected Mr. Laurens would be in town very soon, begging them to keep those bills a fortnight, and that at all events we would accept them. We have seen others since more willing to wait; but not knowing what sums may have been drawn for already, we are in hopes to be soon released from this anxiety by the arrival of the Minister. As we think your Excellency may have some intelligence about this matter, and have it in your power at the same time to save the credit of America if Mr. Laurens by any accident should not arrive, we beg the favor to be informed how to conduct ourselves. In the mean time we will do what lies in our power to prevent all noise and trouble about them. In case Mr. Laurens should not arrive, your Excellency will have time left to make or provide for remittances, as the bills are drawn at six months' sight.

We have the honor to be, &c.,

JOHN DE NEUFVILLE & SON.



DE NEUFVILLE AND SON TO JOHN JAY.

Amsterdam, June 1st, 1780.

Sir,

Craving reference to our last, we have now the honor to propose to your Excellency on what terms we think all difficulty on account of the absence of Henry Laurens as Commissioner from Congress here may be prevented. We have written the same to Dr. Franklin in France, offering him to accept all those bills, provided he gives us permission to redraw directly on him for account of Congress, and to do it even at seven or eight months, until, by the arrival of Mr. Laurens, or in some other way, this matter may be arranged, for there must certainly be provision made for those bills, and the sums we do not think will exceed two or three hundred thousand guilders before Mr. Laurens's arrival here may be known in America, and matters are settled. We even offered those transactions without any view of interest as for a commission. The importance of the business must have influence with every one who has any regard for the

United States; and this emboldened us even to trouble your Excellency with this relation, not doubting but you might equally find means to make matters easy at all events; for the terrible loss which there would be on such bills, if protested, must be prevented, and the honor of the credit of America must be saved. We hope our endeavor for it may be approved of, and have the desired end.

We have the honor to be, &c.,

JOHN DE NEUFVILLE & SON.

—o—

DE NEUFVILLE AND SON TO JOHN JAY.

Amsterdam, June 8th, 1780.

Sir,

In conformity with what we have informed you, that we had engaged for the acceptance of some of the bills drawn on Henry Laurens, since nothing has been heard of him as yet, we accepted those on the first instant, and we hope your Excellency, as well as Dr. Franklin, may approve of our proceeding, and of the method we have proposed for our reimbursement, in case Mr. Laurens may not appear, or that they should not be provided for in time. Certain it is that those bills should be honored for the credit of America. At the same time, it is not in the power of a mercantile house to stand for the whole; yet the measure proposed may make it easy, since the sums will not be so large but that they may be easily provided for in Spain and France by the Plenipotentiary Ministers. And for ourselves, we only desire to be properly empowered to draw again for any sums we may accept. As there was no time to get the matter previously adjusted, we will go on and see how our plan may be agreed to and approved of.

We have the honor to be always, with the most devoted regard, &c.,

JOHN DE NEUFVILLE & SON.

—o—

COMMITTEE OF FOREIGN AFFAIRS TO JOHN JAY.

Philadelphia, June 16th, 1780.

Sir,

The embarrassments which the depreciation of the currency had

created in the public affairs at the time of your departure for Europe were, as you may well remember, very distressing, and have till lately continued to increase. Congress, greatly anxious to avail themselves of every possible means of checking this evil, on the 23d of November last ventured on the expedient of drawing bills upon you for one hundred thousand pounds sterling, as you have been already advised by letter of December the 11th following. This they thought they might risk, considering the importance of the object. But as the time of your arrival in Europe could not be counted upon with certainty, and as the negociation might not be immediately practicable, and, moreover, as a disappointment would be highly injurious to the public faith, they determined to draw the bills at six months' sight, which we hope will allow sufficient leisure for every preparation.

It will not be amiss to observe, that Congress have not taken this measure without some circumstances of encouragement that a fund to satisfy the draft would not be unattainable. Since the agreeable news of your arrival, and to answer a purpose of great national utility, Congress, by their resolution of the 19th instant, have directed bills to be drawn for the additional sum of twenty-five thousand dollars, payable at sixty days' sight. The exertions necessary at this crisis require the command of a considerable sum of money; but these drafts, we hope, will not be increased till we have intelligence from you respecting your prospects and assurances. We have the pleasure to inform you, that from the measures which have lately been adopted, and with which you are made acquainted by the journals, the finances begin to assume a better appearance, and our public affairs in general will, we hope, be delivered from many of the embarrassments under which they have labored, but we earnestly entreat you to push every possible exertion for procuring aids of money from the Court of Spain, without which we are fearful the measures of Congress fully to restore the currency and prosecute the war with good effect will fall short of the desired success.

We have the honor to be, &c.,

JAMES LOVELL,
ROBERT R. LIVINGSTON,
WILLIAM C. HOUSTON.

TO DE NEUFVILLE AND SON, AT AMSTERDAM.

Madrid, June 18th, 1780.

Gentlemen,

Accept my thanks for your favors on the subject of the bills drawn on Mr. Laurens. The kind concern you take in the credit and prosperity of the United States merits their acknowledgments, and I shall take the first opportunity of communicating to Congress your very friendly propositions relative to the acceptance of the bills.

Whether Dr. Franklin is in circumstances to agree to these propositions I know not. They certainly are very generous and liberal, and would be attended with very happy effects. I am persuaded that Congress would strain every nerve to fulfil them. I have no intelligence whatever of Mr. Laurens, and am much at a loss to conjecture what should detain him.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO DE NEUFVILLE AND SON.

Madrid, June 25th, 1780.

Gentlemen,

Your favor of the 8th instant came to hand yesterday. The receipt of the letters referred to in it was acknowledged by the last post. Your plan for paying the bills drawn on Mr. Laurens is noble and generous. I heartily wish it may succeed, and that things could be so adjusted as that you might not be exposed to loss or inconvenience by it. But, gentlemen, as to this matter, I have neither instructions, nor the means of preventing the evils you mention. If I had the money, or could procure it, I would, without hesitation, engage to repay you punctually, but that is not the case. That Congress will repay you with gratitude I am certain, but whether quite so soon as your convenience may require, is more doubtful, because the absence of Mr. Laurens is an event they did not foresee, and consequently did not provide against. If you could make a loan for the United States in your country, the money might be applied for the discharge of these bills. I am sure you would do Congress a very acceptable service by it. I have not yet heard from Dr. Franklin on this subject. You may rely on all the aid in my power

to render, and I should be very happy if it could be equal to the present exigency. I am not without difficulties respecting the bills drawn upon me. If these difficulties should cease, and I should be in a capacity to assist you, I will immediately let you know it, but of this there is as yet no great prospect.

As a man, I admire and esteem your conduct, and as an American I thank you. Be assured, therefore, that I shall omit no opportunity of convincing you of the regard and attachment with which I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

Madrid, July 10th, 1780.

Sir,

As a late and particular letter from me to your Excellency is now on the way to America, and as I purpose to write again very fully by the successor of M. Mirales, I decline saying much in this letter, which I shall send by a circuitous and hazardous route.

I have accepted bills to the amount of between eleven and twelve thousand dollars. They arrive slowly, and I am very glad of it. No news of Mr. Laurens; I regret his absence. I hope the terms for the sale of the bills on me will not be lowered. Remittances have really become necessary. Distressed American seamen cost a great deal. The house of Le Couteulx has advanced money for them at Cadiz.

I had yesterday an application from the director of a hospital at St. Andeira, desiring to be informed whether I would be responsible for the ordinary expenses of receiving and curing a New England master of a vessel, who had escaped from captivity penniless, having one of his legs so injured by iron fetters as to be in danger of losing it. These are calls of humanity, and I entreat Congress to enable me to obey them, and to establish specific regulations for the conduct of these affairs.

The surrender of Charleston is the subject of much speculation, and many unfavorable conjectures. I have received no public letters since I left America, except one from the Committee, enclosing the resolutions for drawing bills on me.

I have the honor to be, &c.,

JOHN JAY.

DE NEUFVILLE AND SON TO JOHN JAY.

Amsterdam, July 13th, 1780.

Sir,

Never letter could have been more welcome than the favor your Excellency honored us with of the 25th of the past month, since it expressed a true concern about the bills drawn on Mr. Laurens, and your approbation of our conduct. As we from the beginning acted from principle in the American cause, and never will prevaricate, this is only from the same motive, but we shall be sorry if we should not be supported, and that it is out of your Excellency's power to do it. We cannot judge how far those drafts may go, and if we had not expected that your Excellency, as well as Dr. Franklin, would have been willing and able to answer for a trifle (one or two hundred thousand guilders) in such a matter as this, it would have been a folly to undertake it.

Dr. Franklin wrote to us that people would be satisfied to have the bills enregistered, but we found the contrary; several of them would have them duly protested, and until to-day we have again accepted them all; but how it will go further we do not know. We were very sensible to the hint your Excellency was pleased to give us, of making a loan here. We might from time to time have got some money in that way, if properly authorised; and our goodwill and influence certainly would have brought it further than it had been done by the house which was formerly entrusted with it, and we have long ago desired a loan should be opened in our hands, but we never could properly obtain it. A trifle of allowance, and chiefly the largeness of the sum which was required from us to answer for at once, prevented it; so we did not think proper to mention it again. We can and may work for glory, but on a large scale we cannot sacrifice our own interest. Every catastrophe in favor of or against America, has with our public a great influence. So the capture of Charleston would be very much against us at this moment for such a purpose; and though we could not flatter ourselves to go any length with it, a very particular circumstance might revive the American spirit; and it would even require some time before such a power was brought into due terms, whereon we could engage anything.

This is certain, that in a moment as critical as the present, a

small sum would save the honor of Congress, and in that light could not be paid for too dear, which made us think on a method, that your Excellency could employ a banker, and likewise Dr. Franklin; that we, drawing on either of your Excellencies, if we were sure you would approve of it, could prolong terms in all probability, and without doubt as long as should be needful, and until the arrival of Mr. Laurens, and that by his means and instructions proper measures could be taken.

We must also expect that Congress (as, on the first days of May, they were informed that Mr. Laurens had not sailed) will have been attentive to provide for those bills, and have considered the consequences, as we do in Europe. We write the same idea to Dr. Franklin, and propose to him, if he should not approve of such a method, or find a better, to empower us for a loan, as we know he had formerly instructions thereon. We are too nice and anxious for the credit of Congress to make any use thereof, if it should hurt matters any way; but it is not possible to know what may be done before a proper trial; and we are obliged at last to speak plain, that whatever bills now further should offer, we cannot accept any more. We wish our proposals may not seem incongruous; we make them with the more assurance, as we are not guided by any other motive, than by the most extended desire to prevent every difficulty, which could in any way affect the reputation of the United States.

We have the honor to be, &c.,

JOHN DE NEUFVILLE & SON.

—O—

DE NEUFVILLE AND SON TO JOHN JAY.

Amsterdam, July 28th, 1780.

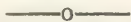
Sir,

Since we had the honor of writing to your Excellency, it is but just that we should inform you of the success of our proceedings in the acceptance of the bills drawn on Henry Laurens, for which Dr. Franklin, by his last favor, has engaged, offering to accept further bills, when sent to him, until the arrival of Mr. Laurens, or that some good reason may appear for the contrary. As this will answer the same purpose, and we think it best that there should not seem

to be any alteration, we offer to-day to continue our acceptance until forbid, under guarantee of our being reimbursed in time. We are very much pleased that the matter is thus far settled, for the honor of Congress.

We have the honor to be, &c.,

JOHN DE NEUFVILLE & SON.



TO DE NEUFVILLE AND SON.

Madrid, July 29th, 1780.

Gentlemen,

Your favor of the 13th instant was delivered to me last evening. I admire the generous principles which lead you to take so decided and friendly a part in favor of America. I have too great confidence in the honor, justice, and gratitude of Congress, to suspect that they will permit you to be sufferers by your exertions in their favor. On the contrary, I am persuaded they will entertain a proper sense of your disinterested attachment, and with pleasure take every opportunity of acknowledging it.

Mr. Laurens's absence is much to be regretted; his endeavors, aided by your assistance, would probably have prevented the embarrassments which have taken place. I have not as yet received any advices of his having sailed, and your information of his not having left America in May is true. By a letter from a gentleman at Cadiz of the 21st instant, I learn that a vessel from North Carolina had arrived in forty-nine days, and left Mr. Laurens there on his way to Philadelphia. I am at a loss to account for this, having no intelligence from America on the subject. Perhaps his design was to sail from Philadelphia. If so, we may still look out for him. Prudence, however, demands that every possible step be taken to alleviate the inconveniences arising from his absence. If my power extended to this case, I should, without hesitation, authorise you in a proper manner to make a loan in Holland, and be much obliged to you for undertaking it. But my instructions do not reach so far; all I can do is to advise as an individual, and, as a public servant, to represent in a true light to Congress your benevolent efforts to preserve their credit. If Dr. Franklin has such instructions as you suppose, and his circumstances will admit of it, I can at present see

no objections to his taking some such measures as you propose until Mr. Laurens's arrival ; but of this, he alone can properly judge. I shall write to him on the subject, and you may rely on my doing every thing in my power. I assure you I feel myself, as an American, so much obliged by your generous zeal to serve my country, that I shall be happy in being instrumental to render the issue of it as agreeable and honorable to you, as the principles on which you act are meritorious and noble.

I flatter myself that the unfavorable influence which the capture of Charleston has on the public will be of short duration. When they reflect that America has nobly sustained a six years' war, fought hard battles with various success, and lost and regained several of their cities, they will find it ridiculous to believe that the fate of the thirteen States is involved in that of one or two towns. The like impressions were made when New York, Philadelphia, and Ticonderoga fell into the enemy's hands ; and those impressions were again removed by the battle of Trenton, the evacuation of Philadelphia, the battle of Monmouth, the defeat and capture of General Burgoyne and his army, and other victories on our side. Many of these great events happened when America had no ally, and when Britain had no other objects to divide her force. It is not reasonable, therefore, to imagine that the power of Britain has been augmented by the accession of two formidable enemies, or that the power of America has been diminished in proportion as the number of her friends increased.

Depend upon it, that as the spirit of America has always risen with the successes of her enemies, they will not, on this occasion, throw away their arms, and ingloriously pass under the yoke of a nation whose conduct towards her has been marked by injustice and oppression in peace, and by malice and wanton barbarity in war.

With sentiments of sincere regard and esteem, I have the honor to be, &c.,

JOHN JAY.

—o—

TO DE NEUFVILLE AND SON.

Madrid, August 16th, 1780.

Gentlemen,

My last to you was dated July 29th, in answer to yours of the

13th of the same month. I have since had the pleasure to receive your favor of the 28th of July, and am happy to hear that Dr. Franklin has been able to take the step you mention. I cannot forbear again to repeat the sense I have of your very friendly conduct on this occasion. I assure you I shall rejoice in every opportunity of acknowledging the obligations you have conferred on my country. Such disinterested acts of friendship are not common, and ought never to be forgotten.

With sentiments of great and sincere esteem and regard, I have the honor to be, &c.,

JOHN JAY.

—O—

TO SILAS DEANE.

St. Ildefonso, September 8th, 1780.

Dear Sir,

If I could easily be angry with an old friend, I should be so with you. Your silence is unkind, and the more so as you might probably have communicated things useful as well as entertaining. Before we parted in America, you gave me a cypher, and I really promised myself much from it on your arrival in Europe. I could almost wish that the winds had blown you this way. I would give a good deal for a day's conversation with you, but that is impossible. A correspondence is the only substitute, and perhaps you have detached yourself too much from public concerns and public men to be troubled with it. I hope this is not the case. It would be wrong to extend to a whole nation the resentments excited by a few. Perhaps other reasons may have induced your silence; whatever they may be, I regret them.

Adieu. I am, dear sir, your most obedient servant,

JOHN JAY.

—O—

TO THE PRESIDENT OF CONGRESS.

St. Ildefonso, September 16th, 1780.

Sir,

This letter and several copies of it are to be sent by the next post to Bilboa, Cadiz, Nantes, &c. The object of it is to inform you that it is necessary immediately to cease drawing bills upon me for the present.

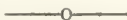
Your Excellency may soon expect a full detail of particulars; you will then receive an answer to every question that may be raised upon this letter.

His Catholic Majesty has been pleased to offer his responsibility, to facilitate a loan of one hundred and fifty thousand dollars for us, payable in three years, and to promise us some clothing. This need not be kept secret. I have written several letters to your Excellency, but have received only one from the Committee since I left America. It covered the resolutions respecting these bills.

The Philadelphia bank, the ladies' subscriptions, and other indications of union and public spirit, have a fine effect here.

I have the honor to be, &c.,

JOHN JAY.



INSTRUCTIONS TO JOHN JAY.

In Congress, October 4th, 1780.

On the report of a committee to whom were referred certain instructions to the Delegates of Virginia by their constituents, and a letter of the 26th of May, from the Honorable John Jay, Congress unanimously agreed to the following instructions to the Honorable John Jay, Minister Plenipotentiary of the United States of America at the Court of Madrid.

That the said Minister adhere to his former instructions, respecting the right of the United States of America to the free navigation of the river Mississippi into and from the sea; which right, if an express acknowledgment of it cannot be obtained from Spain, is not by any stipulation on the part of America to be relinquished. To render the treaty to be concluded between the two nations permanent, nothing can more effectually contribute than a proper attention not only to the present but the future reciprocal interests of the contracting Powers.

The river Mississippi being the boundary of several States in the union, and their citizens, while connected with Great Britain, and since the revolution, having been accustomed to the free use thereof, in common with the subjects of Spain, and no instance of complaint or dispute having resulted from it; there is no reason to fear that the future mutual use of the river by the subjects of the two nations,

actuated by friendly dispositions, will occasion any interruption of that harmony which it is the desire of America, as well as of Spain, should be perpetual. That if the unlimited freedom of the navigation of the river Mississippi, with a free port or ports below the 31st degree of north latitude, accessible to merchant ships, cannot be obtained from Spain, the said Minister in that case be at liberty to enter into such equitable regulations as may appear a necessary security against contraband; provided the right of the United States to the free navigation of the river be not relinquished, and a free port or ports as above described be stipulated to them.

That with respect to the boundary alluded to in his letter of the 26th of May last, the said Minister be, and hereby is, instructed to adhere strictly to the boundaries of the United States as already fixed by Congress. Spain having by the treaty of Paris ceded to Great Britain all the country to the northeastward of the Mississippi, the people inhabiting these States, while connected with Great Britain, and also since the revolution, have settled themselves at divers places to the westward near the Mississippi, are friendly to the revolution, and being citizens of these United States, and subject to the laws of those to which they respectively belong, Congress cannot assign them over as subjects to any other Power.

That the said Minister be further informed that in case Spain shall eventually be in possession of East and West Florida, at the termination of the war, it is of the greatest importance to these United States to have the use of the waters running out of Georgia through West Florida into the Bay of Mexico, for the purpose of navigation; and that he be instructed to endeavor to obtain the same, subject to such regulations as may be agreed on between the contracting parties; and that as a compensation for this, he be, and hereby is, empowered to guaranty the possession of the said Floridas to the Crown of Spain.

—O—

TO DE NEUFVILLE AND SON.

Madrid, October 4th, 1780.

Gentlemen,

I have lately had the pleasure of receiving your favor of the 7th of September. After the proofs you have given of disinterested zeal in the cause of liberty and America, I cannot harbor a doubt of your

opposing the measures of a Court industriously employed in attempts to destroy both.

Your sentiments respecting the expediency of a connexion between the United States and your Republic concur with my own, and I am persuaded that those who know and wish well to the interests of both will assiduously promote it.

As I have received no further intelligence respecting Mr. Laurens, I can add nothing on that subject. I cannot doubt but that good reasons have detained him, though I do not know what they are. Congress, I am sure, will continue their attention to the objects of his appointment, and will be happy in cultivating a friendly connexion with a people whose history exhibits many instances of heroic and glorious exertions in a cause similar to their own. Those among you who know history, and venerate the names and characters of their forefathers, cannot consent to be the instruments of despotism, to deprive others of those rights which were purchased for themselves by the blood of their own ancestors.

When or how far it may consist with the views of Congress to make mercantile appointments in your country, I cannot determine; should they ever become necessary, I cannot doubt of your being remembered. The most powerful recommendation I can give them, will be by sending them our correspondence; and for that purpose, copies of all the letters that have passed between us are now preparing, and shall, together with duplicates and triplicates, be sent by the first vessels.

As to the late ordinance of Spain, establishing a paper currency, it is a subject on which I make no remarks, and for this very good reason, that the policy and propriety of that measure are objects without my sphere, on which I can have no influence, and which would not be altered by any thing I might say or write about them.

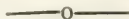
The Mexican dollars mentioned in the bills drawn upon me, I understand to be only another name for Spanish milled dollars, which you know pass here at twenty reals of vellon. How far the sale or payment of these may be affected by the paper in question I know not, though I must confess that I do not apprehend so much evil from it as some others do. These bills will be on an equal footing with all others drawn on Spain, and you will readily suppose it not to be in my power to put them on a better.

The King of Spain has been so kind as to offer to become

responsible to a certain amount for moneys which I may borrow for Congress, payable in three years. Be so kind as to inform me whether this could be done in your country, on their *joint credit*, how far, and on what terms.

I have the honor to be, &c.,

JOHN JAY.



TO JAMES LOVELL.

Madrid, October 27th, 1780.

Dear Sir,

Your letter of the 11th of July gave me much pleasure. There is a degree of ease and cordiality in it, which as mere letters of business do not require, I am the more obliged to you for.

It is true that I might write to Congress very often, indeed by every vessel, and there are many of them. But how are my letters to get to the sea-side? By the post? They would be *all* inspected, and many suppressed. There is scarce a man in any of the ports, except Mr. Harrison at Cadiz, with whom I would trust them; so that if, under different covers, I should get them there, the danger would not end. To write often, and write nothing material, would be useless; and when you see my public letters, by this opportunity, you will perceive that, to be well understood, I must write a good deal.

I would throw stones, too, with all my heart, if I thought they would hit only the committee, without injuring the members of it. 'Till now I have received but one letter from them, and that not worth a farthing, though it conveyed a draft for one hundred thousand pounds sterling on the bank of Hope.

One good private correspondent would be worth twenty committees, made of the wisest heads in America, for the purpose of intelligence. What with clever wives, or pretty girls, or pleasant walks, or too tired, or too busy, or do you do it, very little is done, much postponed, and more neglected. If you are naturally industrious, and love your country, you would frequently take up your pen and your cyphers, and tell me how the wheel of politics runs, and what measures it is from time to time turning out. I should be better informed, and Congress better served. I now get more intelligence

of your affairs from the French Ambassador, than from all the members of Congress put together.

I had written thus far, when I received a letter from M. Le Couteulx at Cadiz, enclosing a letter of the 16th of September, written at St. Ildefonso from me to Congress. It had been enclosed in one to Mr. Harrison, and that again put under cover to M. Le Couteulx, and under these two covers it was put into the post office. Now mark its fate. The Director of the post office at Cadiz showed it to M. Le Couteulx, naked and stripped of its two covers, of which he made no mention. He said it came from Bayonne, but M. Le Couteulx, knowing my hand-writing, paid the postage, and returned it to me. This is only one among many instances of the fate to which my letters are subjected. To avoid it, I must now be at the expense of sending Colonel Livingston to the sea-side with my despatches.

When at Cadiz, I heard some of our countrymen, who had been prisoners at Lisbon, speak handsomely of M. Dohrmer. They mentioned his having supplied them with necessaries, but at the same time told me that he had been employed for the purpose by Dr. Franklin. Hence it happened that I declined mentioning his usefulness to Congress. I considered him as an agent of Dr. Franklin, who did his duty faithfully, and thought it would be more proper for him to recommend his services to the notice of Congress than for me.

I am, dear sir, &c.,

JOHN JAY.

—o—

TO THE PRESIDENT OF CONGRESS.

Madrid, November 6th, 1780.

Sir,

The last particular letter I had the honor of writing to your Excellency was dated the 26th of May, and, with a duplicate, was carried to Cadiz by Mr. Harrison, who sent one by the Peacock, Captain Davis, to Boston, and the other by the General Arnold, Captain Jenkins, to Alexandria in Virginia. They both sailed in June last, and the former, I hear, arrived safe after a short passage.

I have since written several letters to your Excellency, but as they went to the sea-ports by the post, none of them contained anything

material, except one from St. Ildefonso of the 16th of September, advising Congress of the necessity of suspending further drafts on me for the present.

Congress will recollect, that my letter of the 26th of May contained notes of a conference I had with the Minister on the 11th of that month, on the subjects of my two former letters to him, the first in answer to his questions, and the latter relative to the resolution for drawing bills upon me. It may be remembered, also, that, in this conference, the Minister promised me his sentiments in writing in a few days, as well on the subject of the proposed treaty, as on the bills which were daily expected. The first I have not yet received, and it was not before the 7th of June that I was favored with the latter.

In this interval there arrived here from England, by the way of Lisbon, an Abbé Hussey. He came to Lisbon in company with Mr. Cumberland, one of Lord George Germain's secretaries, who, with his family, purposed, on obtaining permission, to come to Madrid. This priest was known to many, being a pensioner of the Spanish Court, and formerly in the late Prince Massarano's family. Indeed, he took no pains to conceal himself or his business, which was to obtain permission for his friend to proceed, on account of the bad health of a daughter. Mr. Carmichael watched his motions with success and industry, and was the first who mentioned his arrival to me. He hired lodgings and a coach for Mr. Cumberland, and visited several persons about the Court, particularly M. del Campo, First Secretary of the Minister.

On the first of June I received a card from the Minister, desiring to see me at nine o'clock the next evening. I waited upon him accordingly. The following are notes of what passed upon that occasion.

[Notes of a conference between his Excellency the Count de Florida Blanca and Mr. Jay, in the office of the former at Aranjues, 2d of June, 1780, reduced to writing immediately after the conference ended, by Mr. Carmichael, who was present at it.]

In consequence of a card received by Mr. Jay yesterday, from his Excellency the Count de Florida Blanca, appointing him a meeting at nine o'clock this evening, Mr. Jay waited on him at that hour. The conversation commenced on the part of the Minister, with polite inquiries for the state of Mr. Jay's health, which, he said, had induced

him not to send the notes promised on the former meeting, at the time when appointed, as he had been informed that he was indisposed. He attributed to his own frequent ill state of health (a disorder of the nerves, occasioned by his necessary application to business) the disappointment and delay to which, without intending it, the business that passed through his hands was sometimes subjected. He then said that, on Sunday following, at eleven o'clock in the forenoon, if Mr. Carmichael would wait on him, he would send Mr. Jay the notes formerly promised him.

He added, that his reason for desiring to see him at present proceeded from something mentioned to him by the French Ambassador, of which he supposed he was informed. He recapitulated what he had before mentioned of the King's good faith and favorable disposition towards America, and entered more fully into his conduct in the negotiation with Great Britain, when the Court of Spain proposed a truce between that country and the United States, observing, that as the King at that period was determined not to sacrifice our interests, it could not be supposed that now, when at war with Great Britain, his Majesty would be less disposed to maintain them. After these reflections and assurances, he told Mr. Jay that the person lately from England, by the way of Portugal, was the chaplain of their former Embassy at London; that he had been there for some time on his private affairs, and had at the same time instructions concerning an exchange of prisoners, which their sufferings rendered expedient; that the death of an uncle, a chaplain of the Court, had obliged him to return; that an English gentleman and his family had come to Lisbon with him, under the pretext, or really on account of the ill health of a daughter, to whom the Duke of Dorset was much attached; that the opposition made by his friends to the marriage had affected her health, and that this family was desirous of passing through Spain to Italy. He added, that this gentleman was one of Lord George Germain's secretaries, and would perhaps have some proposals to make for an exchange of prisoners, and possibly others of a different nature, which he assured Mr. Jay should be communicated to him as candidly as he had communicated the extravagant scheme presented by Sir J. Dalrymple. He desired Mr. Jay, therefore, to make himself easy on this subject, giving new assurances of the King's strict regard to justice and good faith, and of his disposition to assist America.

Mr. Jay begged him to be persuaded of the perfect confidence of America and himself, and of their reliance on the good faith, justice, and honor of his Catholic Majesty; that he had no other apprehension from the circumstance of Englishmen resorting to this Court, than that the enemy would on this, as on former occasions, avail themselves of it, by endeavoring to alarm and deceive our people.

The Count de Florida Blanca assured Mr. Jay that he would shortly give him such proofs of the King's intentions as would enable him to prevent any bad effects from such misrepresentations, and convince America of his Majesty's favorable disposition and good faith. After repeating assurances of his full confidence, Mr. Jay mentioned that he had received two bills of exchange, drawn by order of Congress on him, and that he should take no measures on that subject, as he had before the honor of telling him, till he had consulted his Excellency. The Count, having asked the amount, and being told that the bills were for between six and seven hundred dollars, told him, smiling, that he might accept them, and he hoped so to arrange matters, as, in a short time, to make him easy on that head. He then said that an expedition had been suggested to him, in which the Americans might coöperate; but, without entering into particulars, he recollected himself, and said he would send the project to Mr. Jay by Mr. Carmichael at the same time that he should give him the other papers. The conference ended with mutual compliments.

June 4th. This morning the Chevalier de Burgoing, Secretary of the French Embassy, waited on Mr. Jay, and afterwards on Mr. Carmichael, and told them the Ambassador had informed him that the Count de Florida Blanca had received despatches from Versailles which demanded his instant attention, and that, therefore, he could not see Mr. Carmichael until the 5th, at the hour mentioned in the conference of the 2d. Mr. Jay, however, having received no direct message from the Minister, thought it proper for Mr. Carmichael to wait on him at the place and hour appointed. Accordingly he went to the Bureau of Foreign Affairs, and was told, by order of the Minister, that he had desired the Ambassador to acquaint Mr. Jay that he could not see Mr. Carmichael that day, but desired to see him next Monday, at eleven.

June 5th. Mr. Carmichael waited on the Minister agreeably to appointment, who, on his entrance, immediately expressed his

concern that the arrival of a courier, which informed him of the intentions of the Court of Great Britain to expedite the sailing of their grand fleet, had engaged his attention so much as to prevent him from fulfilling his promise of sending the notes mentioned in the former conferences, that he would certainly do it on the Wednesday following, and desired Mr. Carmichael to wait on him that day at the same hour to receive them. He then mentioned an expedition which had been proposed to him from Bilboa, to intercept the homeward bound ships of the East India Company, by equipping some frigates in America at the expense of his Catholic Majesty, desiring Mr. Carmichael to communicate this to Mr. Jay, that he might turn his attention to that object, to enable him to judge of the probability of its success. He touched slightly on the subject of bills of exchange, and on the only difficulty of the treaty, viz: the navigation of the Mississippi, which he said he hoped some middle means might be hit on to obviate. He concluded by saying that he would give his sentiments on that and other subjects to Mr. Jay in writing at the time abovementioned, and hoped that he would believe the delay hitherto proceeded from no other motives than those he had mentioned. Mr. Carmichael assured him that Mr. Jay was too sensible of the importance of his other occupations, and of his candor, to impute the delay to any other cause, and after common civilities he withdrew.

This conversation needs no comment. It promised well. On or about the 19th of June, Mr. Cumberland, his wife, and two daughters arrived, appeared publicly, and were openly visited and received by persons of distinction. But although it was not difficult to know who he was, and with whom he associated, his business and measures continue to this day mere objects of conjecture, further than he or the Minister has thought proper to communicate them.* The impression made by his arrival on the minds of the people is worthy of remark. They supposed his errand to be secret overtures for peace, and as far as I can judge were very glad of it. There is reason to believe that he favored these conjectures from the first. He has since said publicly that he was authorised to offer to Spain Gibraltar, and other advantageous terms.

* A full account of Mr. Cumberland's proceedings in Spain may be found in his *Memoirs* published many years afterwards.

On the 7th of June, I received from the Minister his notes on the subject of aids. They are in these words :

Translation.

“Aranjues, June 7th, 1780.

“ His Catholic Majesty would be very glad to be able to furnish, at the present crisis, funds for the payment of the one hundred thousand pounds sterling, proposed to be addressed to Mr. Jay, in order to evince the concern which the King takes in the prosperity and relief of the United States of North America, as well as in the personal satisfaction of the abovementioned gentleman. But the demands of the present war, and the great difficulty there would be to transport hither the treasures of the King’s possessions in that part of the world, render it impracticable to furnish here the said sum in specie, as could be wished. Some expedient, however, may be found to remedy this inconvenience. For example: if the owners of the bills of exchange would be content with the security or responsibility of his Catholic Majesty to pay the sum already mentioned in the term of two years. The King will readily agree to such an arrangement, even if it should be found necessary to add a moderate interest. This security, given by such a Sovereign as the King of Spain, would induce the owners of those bills of exchange, and the creditors of Congress, to consent to a measure so advantageous, and would equally serve to sustain the credit and good faith of the same body.

“ Mr. Jay, therefore, is entreated to reflect on the idea just stated to him, and in answer to inform us what measures he thinks suitable to this scheme, in order that they may be laid before the King, and his orders taken thereon. If the expedient in question should be adopted, it will at the same time be necessary to take measures in concert to reimburse to the King this considerable sum, as well as others already expended in favor of the United States. The first idea which offers for reciprocal convenience is, that Congress should engage to build without delay some handsome frigates and other smaller vessels-of-war, fixing the price of each, and the time when they will be finished.

“ This point once settled, it will be proper immediately to take measures to equip these vessels as fast as they are ready ; to point

out what articles will be necessary to send from Spain for this purpose, and in what port they will have notice to receive them. After this, it is expedient to be informed whether the Americans themselves will engage to come to the ports of Bilboa, St. Ander, Ferrol, or Cadiz, for the said articles, which they will find ready, and afterwards transport them in their own vessels-of-war or letters-of-marque to America. On this supposition it is conjectured that it would be easy to find hands enough in America to man these new-built vessels, which will sail under Spanish colors. There are certainly among the subjects of the said United States many who have made the voyage, and are acquainted with the usual route of the ships of the English East India Company, and who know perfectly well the ports and places at which they stop. This fact established, it is proposed to equip in the ports of the United States four good frigates and some other lighter vessels with the effects which shall be sent from hence on account of Spain. This small squadron under Spanish colors shall be employed to intercept the convoys of the said Company by cruising in the proper latitudes. The measures just pointed out appear to be the most proper to reimburse in some shape the expenses already incurred by his Catholic Majesty, and to answer for such security as has been proposed to be given in this memoir. It being always understood that a share of the prizes taken from the English by this small squadron shall be given to the crews, and even to Congress, in proportion to the assistance which they shall furnish for the equipment of the vessels.

“A speedy and decisive answer to all the points here enumerated is requested, and Mr. Jay is too enlightened not to perceive that the common cause is interested therein.”

To this paper, which deserves much attention, I returned the following answer :

“Aranjues, June 9th, 1780.

“Sir,

“The propositions which your Excellency did me the honor to send on the 7th instant have been considered with all the attention which their great importance demands.

“The evidence they contain of his Majesty’s friendly disposition towards the United States will, I am persuaded, make correspondent impressions on the citizens of America; and permit me to assure you that his Majesty’s desire of contributing to my personal satisfac-

tion by measures conducive to the welfare of my country, has excited my warmest acknowledgments and attachment.

“The enlarged ideas my constituents entertain of the power, wealth, and resources of Spain, are equal to those they have imbibed of the wisdom and probity of his Catholic Majesty, and of that noble and generous system of policy which has induced him to patronize their cause, and, by completing their separation from Great Britain, effectually to disarm the latter. Such wise and liberal designs, followed by such great and extensive consequences, would add a bright page to the annals of a reign already signalized by important events. It is, therefore, with deep regret that Congress would receive information that the aid they solicit, small when compared with their ideas of the resources of Spain, has been rendered impracticable by the expenses of a war which, on the part of Spain, is of a recent date. Nor will their disappointment be less than their regret when they find their credit diminished by the failure of a measure from the success of which they expected to raise it.

“The kind disposition of his Majesty to become responsible at the expiration of two years for the amount of the bills in question, and that even with interest, is a proof of his goodness, by which I am confident the United States will consider themselves greatly obliged. But when it is considered that bills of exchange, immediately on being drawn and sold, become a medium in commerce, and pass through various hands in satisfaction of various mercantile contracts; that the drawer and every endorser become responsible for their credit at every transfer; and that the object of the merchants last holding the bills, as well as of all other merchants, is money in hand or actively employed in trade, and not money lying still at an interest greatly inferior to the usual profits to be gained in commerce; I say, on considering these things, it appears to me that although no objection can be made to the good faith of his Majesty, which is acknowledged by all the world, yet that the last holders of the bills will prefer recovering the amount of them, with the usual damages on protests, to delay of payment for two years with interest.

“Should these bills, therefore, meet with this fate, his Majesty will readily perceive its influence on the credit, operations, and feelings of the United States; on the common cause; on the hopes and spirits of the enemy. The necessity or prudence which detains

his Majesty's treasure in his American dominions, is an unfortunate circumstance at a time when it might be so usefully employed. There is, nevertheless, room to hope that the great superiority of the allied fleets and armaments in the American seas will, in the course of a year or eighteen months, render its transportation safe and easy, and that the greater part of it may arrive before the bills in question would become payable. This will appear more probable when the time necessary to sell these bills, and the time which will be consumed in their passage from America, and the time which will be employed in their journey from different ports of Europe to this place, are all added to the half a year which is allotted for the payment of them after they have been presented. I am authorised and ready to engage and pledge the faith of the United States for the punctual repayment, with interest, and within a reasonable term, of any sums of money which his Majesty may be so kind as to lend them.

“As to the aids heretofore supplied to the United States, I am without information relative to the precise terms on which they were furnished, as well as their amount. When I left Congress, they appeared to me not to possess full and positive intelligence on these points. I ascribe this, not to omissions in their commissioner, who then had the direction of these affairs, but to those miscarriages and accidents to which the communication of intelligence to a distant country is liable in time of war. If it should appear proper to your Excellency, in order that I may be furnished with an accurate and full statement of these transactions, I will do myself the honor of transmitting them immediately to Congress; and, as they happened prior to my appointment, I shall request particular instructions on the subject.

“With respect to the plan proposed for the repayment of such sums as Spain may lend to the United States, viz: by the latter furnishing the former with frigates, &c., &c., I beg leave to submit the following remarks to your Excellency's consideration. In the United States there are timber, iron, masts, shipwrights, pitch, tar, and turpentine; and Spain can furnish the other requisites. But neither the timber, the iron, the masts, nor the other articles, can be procured without money. The Congress are in great want of money, for the immediate purposes of self-defence, for the maintenance of their armies and vessels of war, and for all the other expenses incident

to military operations. The Congress, pressed by their necessities, have emitted bills of credit, till the depreciation of them forbids further emissions. They have made loans from their great and good ally, and in aid of the system of gaining supplies by taxation and domestic loans, they have, for the reasons which I have already had the honor of explaining to your Excellency, drawn upon me the bills before mentioned. These bills will be sold in the United States for paper money, and that money will be immediately wanted for the purposes I have enumerated. If, therefore, this money was to be turned into frigates, the obvious ends of drawing those bills would not be attained. The war against the United States has raged without intermission for six years already, and it will not be in their power to pay their debts during its further continuance, nor until the return of peace and uninterrupted commerce shall furnish them with the means of doing it.

“That excellent frigates and other vessels may be built in America cheaper than in Europe, I am persuaded. And I know that Congress will cheerfully give every aid in their power to facilitate the execution of any plan of that kind which his Majesty may adopt, but, sir, their necessities will not permit them to supply money to those purposes, and I should deceive your Excellency with delusive expectations, were I to lead you to think otherwise. I would rather that the United States should be without money than without good faith; and, therefore, neither my own principles of action, nor the respect due to his Majesty and reputation of my country, will ever suffer me (if my authority extended so far) to enter into any contracts, which I had not the highest reason to believe would be fully, fairly, and punctually performed on the part of my constituents. Nor, in case his Majesty should think proper to cause frigates to be built in America, can I encourage your Excellency to expect that they could be easily manned there for cruises. The fact is, that the American frigates often find difficulties in completing their complements, principally because the seamen prefer going in privateers, which are numerous, and too useful to be discouraged.

“The design of preparing an armament to intercept the English East Indiamen appears to me very judicious. The enemy draw their resources from commerce; to annoy the one, therefore, is to injure the other. Before the present war there were several, but not a great many Americans, well acquainted with the route of the East

Indiamen. But whether any number of these men could now be secretly collected is uncertain; for if, by a particular selection of and inquiry for them, the enemy should become apprized of the design, they would naturally take measures to frustrate it. For my part, I should suppose that many of these men are not necessary, and that the proper number may be had from France, if not from America.

“The idea of the United States coöperating in the execution of this plan is flattering, and the terms proposed generous. But so far as this coöperation will depend on the building of frigates there as proposed, it cannot be effected from their want of money. Whether the American frigates could be employed in such an enterprise, that is, whether the services for which they may be already destined will admit of it, are, with other similar circumstances, necessary to be known before that question could possibly be answered. The distance from America, and the length of time necessary to ask for and receive information and instructions from thence, are such, that it would probably be more expedient that engagements for these purposes should be discussed and concluded there than here. The circumstances of the United States, while invaded, will be more fluctuating than those of Spain, and measures in which they might conveniently embark at one period, may shortly after be rendered impracticable by the vicissitudes of war. It is further to be observed, that a people, rising amidst such terrible struggles, with an extensive country to defend, and that country invaded, and, as it were, on fire in several places at once, are not in good condition for foreign enterprises; but, on the contrary, that it must generally be their interest, and of course their policy, to keep their forces and strength at home, till the expulsion of their enemies shall afford them leisure and opportunities for distant and offensive operations.

“Whenever this period shall arrive, his Majesty may be assured that the United States will not remain idle, but that, impelled by resentments too deep and too just to be transitory, as well as by unshaken attachment to their friends, they will persevere with firmness and constancy in the common cause, and cheerfully unite their efforts with those of France and Spain, in compelling the common enemy to accept of reasonable terms of peace. I can, also, with great confidence, assure your Excellency that the United States will be happy in every opportunity which may offer during the war, of joining their arms to those of Spain, and in coöperating with them

in any expeditions which circumstances may render expedient against the Floridas, or other objects. The Americans would most cheerfully fight by the side of the Spaniards, and, by spilling their blood in the same cause, and on the same occasion, convince them of their ardent desire to become their faithful friends and steadfast allies.

"I cannot prevail upon myself to conclude, without expressing to your Excellency my apprehension of the anxiety and painful concern with which Congress would receive intelligence of the failure of their bills, and especially after the expectations they have been induced to conceive of the successful issue of their affairs here. What conclusions the enemy would draw from the inability of Spain to advance the sum in question, even to men actually in arms against Great Britain, I forbear to mention; nor would it become me to point out the several evil consequences flowing from such an event, to those who enjoy from nature and experience more discernment than I am blessed with.

"I still flatter myself that some expedients may be devised to surmount the present difficulties, and that the harvest of laurels now ripening for his Majesty in America will not be permitted to wither for want of watering.

"Influenced by this hope, I shall delay transmitting any intelligence respecting this matter to Congress, till your Excellency shall be pleased to communicate to me his Majesty's further pleasure on the subject.

"I have the honor to be, &c.,

JOHN JAY."

Your Excellency will doubtless observe that this answer does not comprehend all the objections to which the Minister's plan is liable, such, for instance, as the proposal that the vessels proposed to be built in America, with the money of America, and to be navigated by Americans, should sail under *Spanish colors*, &c. I thought it most prudent to avoid taking notice of these and similar circumstances, lest objections, which might be ascribed to pride as well as reason, might lose their force in that supposition, and, instead of convincing, serve only to irritate.

Nothing further passed between the Minister and myself except a message or two respecting each other's health, until the 19th day of June, when I sent him the following card:

"Mr. JAY presents his respectful compliments to his Excellency

the Count de Florida Blanca, and takes the liberty of enclosing the copy of a note he has just received, respecting a bill drawn upon him for three hundred and thirty-three dollars. From this his Excellency will perceive the painful situation Mr. Jay is in. He forbears making any reflections on it, being persuaded that his Excellency's wisdom and sensibility render them unnecessary.

“ Madrid, June 19th, 1780.”

On the 20th instant I received the following answer :

Translation.

“ The Count de FLORIDA BLANCA will have no difficulty in paying the bill of three hundred and thirty-three dollars mentioned in Mr. Jay's note of yesterday, both on account of its small value, and in consequence of what he had the honor to offer him at their last conference ; but he cannot forbear observing to Mr. Jay, that it will be impossible to show the same complaisance for other bills without consulting the pleasure of the King.

“ The means hitherto proposed not having been considered as agreeable to Congress, it has become necessary to seek for others, and Mr. Jay will do well to think seriously on this subject, and communicate to the Count de Florida Blanca whatever his wisdom and information may suggest to him.”

This looked dry, and indicated a degree of irritation, though it held up the idea of further means.

I replied to it, on the 22d of June, as follows :

“ Madrid, June 22d, 1780.

“ Sir,

“ I received the note your Excellency did me the honor to write on the 20th instant, and I take the earliest opportunity of expressing my thanks for your Excellency's permission to accept the bills mentioned in it, which I have accordingly done.

“ Agreeably to your Excellency's recommendation in the first conference, I have turned my thoughts very seriously to the objects which were the subjects of it, relative to the bills drawn upon me ; they were two.

“ 1st. The means of paying these bills.

“ 2dly. The proposed contract with America for light vessels, &c.

“ With respect to the *first*, it appeared to me that the principal difficulty was removed by your Excellency’s informing me ‘*that at the end of the present year it would be in your power to advance twenty-five, thirty, or forty thousand pounds sterling.*’ Hence, I inferred that as much time would be taken up in the sale, negotiation, and transmission of those bills, and as so long a space as six months was assigned for their payment, after being presented, that the sums which it would be in your Excellency’s power to advance at the end of the year, would probably be equal to the amount of the bills which would then become payable; and that in the meantime such further means might be provided as would obviate difficulties with respect to those that might afterwards become due. When I reflected that I was a stranger to the resources of Spain, and that your Excellency’s acknowledged abilities comprehended all the objects and combinations necessary in determining what supplies they were capable of affording, and the manner and means most proper for the purpose, it appeared to me in the light of presumption to hazard to your Excellency any propositions on the subject.

“ 2dly. On considering the proposed contract, it became important to distinguish between the building these vessels with the money of the United States, or with that of Spain. The latter was very practicable, and I gave your Excellency that opinion in my letter of the 9th instant. The former, on the contrary, appeared to me not to be within the power of the United States, and candor obliged me to make this known to your Excellency in the same letter.

“ I knew it to be impossible for Congress, consistent with good faith, to contract that, notwithstanding their great want of money, the injuries of a six years’ war, and their being actually invaded, they would repay immediately the moneys lent them, either in ships or otherwise. It is not uncommon for ancient and opulent nations to find it necessary to borrow money in time of war, but I believe it very seldom happens that they find it convenient to pay those debts till the return of peace. If this be the case with powerful and long established nations, more cannot be expected from a young nation, brought forth by oppression, and rising amidst every species of violence and devastation, which fire, sword, and malice can furnish for their destruction.

“If attentive only to obtaining payment of these bills, and thereby relieving my country from the complicated evils which must result from their being protested, I had entered into the proposed engagements for immediate repayment, by building vessels, &c., if I had done this, notwithstanding a full conviction that the contract so made could not be fulfilled, my conduct, however convenient in its immediate consequences, would have been highly reprehensible. This reflection, therefore, will I hope convince your Excellency of the purity of my intentions, and induce you to ascribe my objections to the contract to want of ability, and not to want of inclination in the United States to perform it. No consideration will ever prevail upon me to practice deception, and I am happy in a persuasion, that although truths may sometimes not please, yet that when delivered with decency and respect, they will never offend either his Majesty or your Excellency.

“Believe me, sir, the United States will not be able to pay their debts during the war, and therefore any plan whatever calculated on a contrary position must be fruitless. I am ready to pledge their faith for repaying to his Majesty, within a reasonable term after the war, and with a reasonable interest, any sums he may be so kind as to lend them. What more can I offer? What more can they do? If there be any services they can do to his Majesty consistent with their safety and defence, they are ready and will be happy to render them. They respect the King and the nation, and at the very time they are requesting his aid, they are soliciting to be united to him by bonds of perpetual amity and alliance. Against his enemies as well as their own they are now in arms; and the supplies they ask are not for the purpose of luxury or aggrandizement, but for the sole and express purpose of annoying those enemies, and enabling France, Spain, and themselves, to obtain a peace honorable and advantageous to each.

“Of his Majesty’s kind disposition towards them, they had received not only professions, but proofs. Hence, they became inspired not only with gratitude, but with confidence in his friendship. Impelled by this confidence, and a particular concurrence of exigencies already explained to your Excellency, they drew the bills in question. The issue of this measure will be highly critical, and followed by a train of consequences very important and extensive. The single circumstance of your Excellency having permitted me to

accept the first of these bills, will be considered by our enemies as an unfortunate omen. By predicting from it further aids, their ideas of the resources of Spain, and the resistance of America will naturally be raised, and their hopes of subduing the one, or reducing the power of the other, will naturally be diminished. They will impute these aids to a plan of the House of Bourbon, wisely concerted and firmly persisted in, to secure themselves and all Europe against the ambition of Britain, by completing the division of her empire, and they will cease to flatter themselves that America thus aided will become destitute of resources to carry on the war. On the other hand, America will derive fresh vigor from this mark of friendship, and their attachment to his Majesty become proportionably more strong. By mutual good offices, friendship between nations, as between individuals, is only to be established; and it is always a happy circumstance when it subsists between those whom nature has placed contiguous to each other. But your Excellency's time is of too great importance to be engaged by such obvious reflections.

“Permit me, sir, still to indulge the pleasing expectation of being enabled to inform Congress that his Majesty's magnanimity and friendship have prompted him, though inconvenient to his own affairs, to secure the credit of their bills; and I am persuaded that the benevolence of your Excellency's disposition will be gratified in being instrumental in a measure, which would make such agreeable impressions on the hearts and minds of so great a number of steadfast friends to the Spanish monarchy.

“I have the honor to be, sir, &c.,

“JOHN JAY.”

As this letter was, among other things, designed to establish the expectations and encouragement given me by the Minister as to money in the last conference, by obliging him either to deny them against truth, or admit them, at least, by his silence, I desired Mr. Carmichael to deliver it with his own hands, which he accordingly did. It still remains unanswered.

Your Excellency will be at no loss to perceive that this was an improper season for pushing on the treaty, and that it would not have been prudent to have given poignancy to the Minister's feelings for the loss of his frigates and the trouble of our bills, by disputes about the Mississippi, &c., &c. I therefore did not remind him of the

notes he had promised, nor indeed say any thing at all about the matter.

About this time I met with a printed copy of an act of the State of Connecticut, reciting and adopting the resolutions of Congress of the 18th of March last, respecting the former and new paper emissions. This was the first advice I had of those resolutions. The promise of annual interest in Europe appeared to me to be a hardy measure, though, in my opinion, the weakest side of the plan.

Finding the Minister's heart and imagination much attached to his favorite idea of getting American frigates at the expense of the United States, I gave him the following hint :

“ Madrid, June 28th, 1780.

“ Sir,

“ I have the honor of transmitting to your Excellency, herewith enclosed, a copy of an act of the State of Connecticut just come to hand, in which are recited certain resolutions of Congress passed the 18th of March last.

“ These resolutions are calculated to put the American finances on a permanent footing. They direct, among other things, that bills be issued, redeemable in specie, with interest, at the expiration of six years. The interest to be paid at the redemption of the bills, or at the election of the holder annually at the American Loan Offices, in sterling bills of exchange on the commissioners in Europe.

“ Your Excellency will perceive that when this plan, so well concerted, shall be fully executed, it will furnish the United States with resources equal to all the exigencies of the war, and probably enable them to supply his Catholic Majesty with vessels, &c., &c.

“ I take the liberty, therefore, of submitting to your Excellency's consideration, whether it would not be for the benefit of both nations that his Majesty, on the one hand, should engage his responsibility for the credit of a certain proportion of the sum so to be emitted ; and that the United States, on the other hand, should not only pledge their faith to indemnify his Majesty, but also furnish him with certain aids in vessels, &c.

“ If your Excellency should think this hint worthy of your attention, it will be easy to improve it, and adjust the particulars.

“ I have the honor to be, &c.,

JOHN JAY.”

This letter was accompanied with the following one, on the subject of some more bills that had just arrived :

“ Mr. JAY presents his respectful compliments to his Excellency the Count de Florida Blanca, and has the honor of informing him that he has been called upon to accept bills to the amount of between ten and eleven thousand dollars ; that the far greater part of them belong to Messrs. Joyce of this city, who have agreed to wait for an answer until Monday next.

“ Mr. Jay exceedingly regrets his being obliged to give his Excellency so much trouble, but still flatters himself that when his Excellency considers it as his duty which imposes that necessity upon him, his goodness will excuse it.

“ Madrid, June 28th, 1780.”

I ought also to add, that I had sent to the Count a representation on the subject of a very high-handed stretch of power in the Governor of Teneriffe, towards a prize carried there by some Americans. On the next day I received the following answer to these three papers :

Translation.

“ Aranjues, June 29th, 1780.

“ The Count de FLORIDA BLANCA has had the honor of the three last letters which Mr. Jay has been pleased to write him.

“ The first relates to a privateer detained in the Canaries. On this point he can say nothing until he has obtained some further information thereon.

“ The second respects some new bills of exchange just presented by Messrs. Joyce, to the amount of between ten and eleven thousand dollars. The Count can give no positive answer hereon, without first taking the orders of the King his master, and having a meeting with the other Ministers, and some of these having already gone to Madrid, a determination cannot be immediately had, which renders it necessary for Mr. Jay to require Messrs. Joyce to wait some days longer for the answer in question.

“ The third contains a project of an arrangement, by which his Majesty should oblige himself for his responsibility for certain sums in favor of Congress, and they, on their part, for the indemnification of the said sums at a certain period, by furnishing some vessels, &c.

Mr. Jay is therefore entreated to draw out a more clear and precise plan on this subject, noting therein the sum to which the responsibility of the King should extend, and on which they may converse at their first interview.

“In the meanwhile the Count has the honor of assuring him of the sincerity of his esteem and attachment.”

Congress will observe that the Minister still kept up the idea of an interference in favor of these bills. On the 3d of July, the Count having removed to Madrid, he wrote me a note expressing the same idea. It is in these words :

Translation.

“The Count de FLORIDA BLANCA presents his compliments to Mr. Jay, and prays to be informed when the last bills of exchange, which he mentioned the other day as being in the hands of Messrs. Joyce, and amounting to about ten or eleven thousand dollars, will become payable.

“At the Palace, 3d of July, 1780.”

Thus things were apparently in good train, when the news of the loss of Charleston became credible. The effect of it was as visible the next day, as that of a hard night's frost on young leaves.

I requested a conference with the Minister, and had one on the evening of the 5th of July. The following are notes of it :

Madrid, July 5th, 1780.

Mr. Jay waited on the Count de Florida Blanca agreeably to an appointment made by the latter to meet at his house at half past eight this evening.

After the usual compliments, the bad news relative to the surrender of Charleston, just received, became the topic of conversation. The Count mentioned the channels through which he had received it, viz : by an express despatched by the Spanish Ambassador at Lisbon, in consequence of intelligence which Governor Johnson had received and published in that city, and by letters from the Count d'Aranda, with the accounts printed at London of the affair. He expressed his sorrow on the occasion, but observed that the Count d'Aranda flattered him that the arrival of the Chevalier de

Ternay in that part of the world would totally change the face of affairs, particularly as there would be eight vessels of the line, and more than five thousand troops instead of three thousand, and three vessels-of-the-line which he had been informed were demanded by General Washington.

He seemed to think it strange that the place had not been better defended, and that more vigorous measures had not been taken to impede the enemy's progress, and observed, that if the town was not in a condition to stand a siege, it would have been better to have withdrawn the troops and stores, and reserved them for the defence of the country. Mr. Jay replied, that probably when all circumstances relative to this affair were known, there might be reasons which would account for the conduct of the Americans on this occasion; to the truth of which remark the Count appeared to assent. He then mentioned the death of M. Mirales, and regretted his loss at this time. He said he had recommended to his Majesty a person to succeed him, whom we knew, that spoke English, whom he expected soon, and to whom he would explain his ideas on the subject of the bills, and on other matters, touching which Mr. Jay had written to him, and who would confer also with Mr. Jay on those subjects.

Mr. Jay mentioned, that if it was agreeable to his Excellency to permit M. Del Campo (a confidential secretary of the Count, who speaks English, and who translated all the letters to and from the Count) to be present, he should be able to explain his sentiments more fully and clearly. Though the Count did not object to this proposal, he appeared disinclined to it, and said that, with the assistance of Mr. Carmichael, then present, they could understand each other very well.

He then proceeded to speak of the bills of exchange in the possession of the Messrs. Joyce, and seemed to be surprised that that house should be possessed of so many of them. He advised Mr. Jay to be cautious of those gentlemen, saying that they were as much English in their hearts as the Ministry of that country; that he had known them long, that he thought their conduct extraordinary in being so urgent for the acceptance of these bills. Mr. Jay then informed his Excellency that he had paid those gentlemen a visit in order to obtain further time, and that they had consented

to wait until Monday next. The Count mentioned a fortnight or three weeks as necessary, in order that he might have an opportunity of seeing the person he had sent for, and making some arrangements with him. He said that it would be more agreeable to his Majesty to pay those bills at Cadiz, Bilboa, or Amsterdam, than here; lamented the precipitancy with which Congress had entered into this measure, saying, that if they had previously addressed the King on the subject, ways and means might have been found either to transport from their possessions in America specie for the service of Congress, or to have enabled them to have drawn bills of exchange at a shorter sight, which would have prevented the loss of one third of the money to which Congress had subjected themselves by the terms on which the present bills were sold. Mr. Jay assured his Excellency, that by letters he had received from America, from members of Congress and others, he was informed that the terms were judged so unfavorable to the buyers, that the bills drawn on him sold heavily from that circumstance solely, and not from any doubt of their credit and payment.

This did not, however, appear to convince his Excellency, who spoke much of the deranged state of our finances and credit; of the advantages taken of Congress by merchants and others, who availed themselves of that circumstance, which he called cruel extortions, frequently expressing the King's wishes and his own to render America all the service in their power in this crisis of their affairs; but observed, that it was impossible to obtain much money in Europe while France, England, and Spain were making use of every resource to obtain it for the enormous expenses of the war, and while the channel through which the European merchants received supplies of specie was stopped, viz. the arrival of the usual quantity from America. This induced him to mention the arrival at Cadiz of three millions of piastres, all of which was on account of the merchants, and again to dwell on what he had before said of the possibility of transmitting specie to the States from the Spanish possessions abroad, and of the effect that this would have in reëstablishing the credit of our money. Mr. Jay observed, in reply, that if a supply of specie could be sent to America, and his Excellency thought that measure more convenient and advisable than bills, the Congress would, in his opinion, readily suspend

drawing on receiving that information; to which the Count answered that when the person he had sent for arrived, this matter might be further discussed.

Mr. Jay then proceeded to observe, that by papers which he had transmitted to his Excellency, he would see that Congress had adopted a system to redeem and destroy the former emissions, and to emit other bills to be paid in Europe, with interest, in a certain term of years; and in fully establishing this system it would be probably in their power, not only to sustain the credit of their money, but to contribute, in some measure, to assist Spain in the way proposed by his Excellency, viz. in building frigates, &c., &c. He added, that as his Majesty's treasure was detained in America, and as much expense would be incurred by the armaments employed by Spain there, that bills on the Havana in favor of the United States might be more convenient to Spain, and equally contribute to the end proposed. The Count did not seem to disapprove of the idea, but did not enlarge upon it. He asked Mr. Jay if America could not furnish Spain with masts and ship timber. Mr. Jay replied, that those articles might be obtained there. The Count then said that he would defer further remarks on this head till the arrival of the person whom he expected would succeed M. Mirales, and appeared desirous of leaving this subject, and, indeed, all other matters relative to American affairs, to be discussed when he came.

In the further course of conversation, he recurred to the subject of the bills in question, and told Mr. Jay if an immediate acceptance of them was insisted on, that he might accept them payable at Bilboa, but rather seemed to wish that their acceptance might be delayed till the coming of the abovementioned person. Mr. Jay expatiated on the impression which the acceptance of these bills, and every other mark of friendship, would make in America at this particular crisis, and the Count, in a very feeling and warm manner, assured him that his desire to serve the States increased in consequence of their distresses. By his whole conversation he endeavored to show how much he interested himself in the prosperity of our affairs, more than once desiring Mr. Jay not to be discouraged, for that with time and patience all would go well; expatiating on the King's character, his religious observation of and adherence to his promises, and his own desire of having Mr. Jay's entire confidence. Mr. Jay seized this opportunity of assuring him

of his full reliance on the King's justice and honor, and his particular and entire confidence in his Excellency, asserting to him that all his letters to Congress breathed these sentiments. The Count appeared much pleased with this declaration, and, seeming to speak without reserve, hinted his hopes that the combined fleets would soon be in condition to give the law to that of England in the seas of Europe, repeating that measures would be taken on the arrival of the person expected, to provide for the payment of the bills of exchange, and that other arrangements would be made with the same person which would contribute to relieve, as much as it was in his Majesty's power, the present distresses of America, of which he frequently spoke very feelingly in the course of this conversation.

Mr. Jay reminded his Excellency, in a delicate manner, of the supplies of clothing, &c., &c., which had been promised in a former conference, and said that if they could be sent in autumn, they would be essentially useful. The Count assured him that measures would be taken for this purpose, with the person so often hinted at in the course of the conference; that probably these goods would be embarked from Bilboa, as every thing was so dear at Cadiz. He also once more told Mr. Jay, that at all events he might accept the bills presented by Messrs. Joyce, payable at Bilboa, though he appeared to wish that this measure might be delayed for a fortnight if possible. The conference ended with compliments and assurances on the one part and the other, the Count endeavoring to persuade Mr. Jay of his Majesty's desire to assist the States, and Mr. Jay assuring him of his reliance on his Excellency, and of the good effects which such proofs of his Majesty's friendship would have in America at the present juncture.

In this conference not a single nail would drive. Every thing was to be postponed till the arrival of the person intended to succeed M. Mirales.

On the 11th of July I wrote the Count the following note:

"Mr. JAY presents his respectful compliments to his Excellency the Count de Florida Blanca, and has the honor of informing him that Don Carlos Maria Maraci, of this place, has presented to him, for acceptance, bills amounting in the whole to one thousand six hundred and sixty-five dollars. The Messrs. Joyce consent to having their bills payable at Bilboa, but have acquainted Mr. Jay

that the name of the House there, by whom they are to be paid, should accompany the acceptance of the bills, it being necessary to their further negotiation.

“ Madrid, July 11th, 1780.”

To this note the following answer was returned :

Translation.

“ In answer to the note the Count de FLORIDA BLANCA has just received from Mr. Jay, dated yesterday, he has the honor to acquaint him that he intends writing to Bilboa on the subject of the bills in the hands of Messrs. Joyce, and which are to be accepted, so that it will be necessary to wait some days to fix the House at which the acceptance will be made.

“ As to the bills presented by Don Carlos Maraci, to the value of one thousand six hundred and sixty-five dollars, the Count recommends to Mr. Jay to request, in like manner, a delay of fifteen days for their acceptance, this time being necessary, that the Count may have an interview with a person not at present in Madrid.

“ At the Palace, July 12th, 1780.”

I was obliged to wait with patience, and endeavor to keep the holders of the bills from returning them, noted for non-acceptance. The Count went to St. Ildefonso ; the time limited for the arrival of the person expected having expired, I wrote the Count three notes on the subject of the bills, and in one requested his permission for Mr. Harrison of Maryland to remain at Cadiz, from whence he was threatened to be removed in pursuance of the King's ordinance against Irishmen. To these I received the following answer, dated the 29th of July :

Translation.

“ The Count de FLORIDA BLANCA presents his compliments to Mr. Jay, and acquaints him that he has duly received his three last letters.

“ For the satisfaction of Mr. Jay, orders shall be given for Mr. Harrison to remain at Cadiz, the general regulations established by the King notwithstanding.

“ On the subject of the acceptance of the bills of exchange, the

Count can only say that he still waits for the person in question, who has informed him that he was on the point of setting out on his journey.

“He is moreover very sensible of the attention in communicating to him the last advices received respecting the affair of Charleston, and persuades himself that Mr. Jay will always observe the same complaisance.

“Saturday, July 29th.”

I immediately wrote him a letter of thanks for his civility to Mr. Harrison, and nothing further passed between us till the 11th of August, when I sent him the following note :

“Mr. JAY presents his respectful compliments to his Excellency the Count de Florida Blanca, and has the honor of informing him that since the date of his last, bills to the amount of six thousand and six hundred dollars have been presented to him for acceptance. Mr. Jay has prevailed on the holders of these bills to wait six or eight days for his answer, on a promise that the time for their payment, if accepted, shall be computed from the day on which they were presented.

“Madrid, August 11th, 1780.”

To this was written the following answer :

Translation.

“The Count de FLORIDA BLANCA has just received Mr. Jay’s note of yesterday, on the subject of the new bills which have been presented to him. He is mortified not to be able to return a positive answer to-day respecting the acceptance of said bills, and must repeat that he still waits for the person of whom mention has been made in preceding notes.

“St. Ildefonso, August 12th, 1780.”

Mrs. Jay’s illness, and the death of a child, detaining me at Madrid, I requested the Count to give me notice when it would be necessary I should wait upon him, and in the mean time Mr. Carmichael went to St. Ildefonso.

Congress will be pleased to remember that in the conference of July 5th, the Minister, speaking of the person intended to succeed M. Mirales, said that he spoke English, and that we knew him. I

supposed that he alluded to one of the Gardoquis, three of whom speak English, and I was well acquainted with one of them. But as another of them had been heretofore employed by the Court, it appeared most probable that he was the person meant. They are brothers and have a strong family likeness.

On the 10th, Mr. Carmichael wrote me that he had seen the Count, and was informed by him that the person so long expected had not yet arrived, and when he did he would give notice of it. On the 12th he wrote me that a person had arrived, whom he suspected to be the one so long expected. It seems that a person much resembling the Gardoqui family had arrived at the same inn where Mr. Carmichael lodged, and was seen by him.

The holders of the bills becoming extremely uneasy, I wrote the Count the following reply to his last note :

“ Madrid, August 16th, 1780.

“ Sir,

“ The letter which your Excellency did me the honor to write on the 12th instant, was delivered to me yesterday.

“ The kind concern you are pleased to express for the delay, which suspends my receiving a positive answer respecting the bills, demands my acknowledgments, and is an additional proof of that generous sensibility which induced your Excellency to tell me that your friendship for America should rise with her distresses. A sentiment so evincive of magnanimity will be received by Congress with all the admiration and gratitude it merits, and will not cease to inspire me with that confidence in your Excellency which greatness of mind seldom fails to excite.

“ I ought to mention that the holders of the bills here begin to grow impatient, and frequently repeat their applications to me for acceptance.

“ With sentiments of great respect and regard, I have the honor to be, &c.,

JOHN JAY.”

No answer.

The next day I received a card from the house of Joyce, informing me of their having received peremptory orders to return their bills, and that they could not delay it longer than the next post. Of this I sent a copy to the Count without any observations.

No answer.

On the 18th of August, I wrote the Count the following letter :

“ Madrid, August 18th, 1780.

“ Sir,

“ I never find myself more disagreeably circumstanced than when my duty constrains me to be troublesome to those whom I wish to afford only pleasure and satisfaction. Such is my present situation. Monday next I perceive is to be the critical day. Other bills besides Messrs. Joyce are then to be re-presented.

“ M. Gardoqui, of Bilboa, writes me that he has received bills on me for thirteen thousand three hundred and thirty-five dollars, with orders immediately to ship the amount in goods to America. They will be presented to-morrow, and he expects an answer by Monday's post. If an immediate acceptance or refusal should be insisted on by any one of them, a protest must ensue, and American credit be reduced to the lowest ebb. What am I to do? If your Excellency should direct me to accept these bills, payable at Bilboa, they will, as before, demand at what house they are to be paid.

“ I must entreat your Excellency to relieve me and my country from this painful situation, and to pardon the trouble I am obliged to give you.

“ With great respect and esteem, I have the honor to be, &c.,

“ JOHN JAY.

“ P. S. 'The enclosed contains intelligence from America.'

No answer.

Having first visited the holders of the bills, and obtained further time until Monday next, on the 24th I set out for St. Ildefonso. I arrived the next day, and wrote the Count the following letter :

“ St. Ildefonso, August 25th, 1780.

“ Sir,

“ I arrived here this morning, but was prevented from immediately doing myself the honor of paying my respects to your Excellency by fatigue and indisposition.

“ In a letter I had the honor of writing to your Excellency on the 16th instant, I mentioned that the holders of the bills began to grow impatient. On the 18th instant, I informed your Excellency by another letter, that their applications to me for acceptance had

become so pressing as that I found myself under the necessity of again requesting your directions.

"I have accepted Messrs. Joyce's bills, payable at Bilboa, agreeable to your Excellency's directions on the 5th of July last, and they have agreed to wait some time for the name of the house there which may be employed to pay them. The other gentlemen were induced to delay requiring of me a decisive answer until Monday next, on my assurances that they should then receive one.

"The inducements and reasons which urged Congress into this measure are known to your Excellency, and it would be no less unnecessary than improper to recapitulate the consequences which must ensue from the success or failure of it.

"I fear your Excellency thinks I am too solicitous, too importunate. But when it is considered that the holders of those bills are not under my control, and that they require an answer from me, I flatter myself that the trouble I give your Excellency on this subject will appear to arise from a sense of my duty, and not from the impulse of impatience.

"I sincerely congratulate your Excellency on the late important naval success against the common enemy, and have the honor to be,
&c.,

"JOHN JAY."

No answer.

The next morning I went to pay my respects to the Minister, but being told he was sick, I left a card. The French Ambassador, however, and others, had been with him in the morning, and he rode out as usual in the afternoon.

Mr. Carmichael informed me that, in passing by a wicket-gate of the King's private gardens, he had seen the person whom he had before seen at the inn walking in them, and that his servant had learned from a barber of his acquaintance that he dressed a gentleman who spoke English, and lodged at M. Del Campo's. He also informed me that the French Ambassador had lately received a letter from Count de la Luzerne, dated the 12th of May; that he was present when it was opened, that it was in cypher, and that the Ambassador said he supposed he was impatient to hear the news; that he afterwards expressed a desire to see this letter, and that the Ambassador referred him for it to the Secretary; that the Secretary gave him some important papers, adding that he had *mislaid* the

letter. Hence it seems as if the Ambassador intended at first to communicate the letter, but that its contents, on being decyphered, forbade it.

It appeared to me proper to mention my embarrassments to the French Ambassador, who had always been friendly, and ask his advice and aid on the subject. The next day I had a conference with him, and the following are notes of it :

St. Ildefonso, August 27th, 1780.

Mr. Jay waited on the Count de Montmorin this morning at nine o'clock, agreeably to appointment the day before. The former commenced the conversation, by observing that in his first conferences with the Minister of Spain, at Aranjues, the Minister divided the subject into two parts, and spoke largely on that of the bills drawn on Mr. Jay, and on the treaty proposed to be entered into between Spain and America. Mr. Jay recapitulated the Minister's assurances relative to the former, and informed the Ambassador that the result of this conference was a promise of the Minister to send him written notes on *both* points a few days afterwards. That with respect to the notes relative to the treaty, Mr. Jay had not received them as yet. That on the other point he had received notes, which, as well as his answer, he had shown to the Ambassador. That on the 5th of July he had another conference with the Minister at Madrid, in which he had endeavored to turn the conversation to the several objects of his business and mission here, but that the Minister postponed the discussion of them until a person for whom he had sent, with a view to succeed M. Mirales, should arrive, when all the necessary arrangements should be made. He indeed told Mr. Jay that if the Messrs. Joyce were pressing, he might accept their bills, payable at Bilboa, and throughout the whole conference had given Mr. Jay warm and repeated assurances, not only of the King's good faith and friendly disposition towards America, but of his own personal attachment to her interest, on both of which, as well as in his candor and promises, he desired him to place the greatest reliance.

Mr. Jay proceeded further to inform the Ambassador that being exceedingly pressed by Messrs. Joyce and others, holders of the bills, for a decisive answer, which they had required to have on the Monday last past, he had signified the same to the Minister by three letters requesting his directions, to none of which he received any

answers. That he had accepted Messrs. Joyce's bills, payable, as directed, by the Minister, and had prevailed on the other to wait until Monday next. That on his arrival here on Friday, he wrote another letter to the Minister on the same subject, and the next day called at his house to pay his respects, but not being able to see him had left a card; that being thus circumstanced, he was under the necessity of requesting the favor of him to speak to the Count, and obtain an answer from him.

The Ambassador told Mr. Jay that he ought to ask an audience of the Minister. To this Mr. Jay replied that he could not hope to have an answer to this request, as he had not been able to procure one to the different applications he had already made. The Ambassador said that he would willingly speak to the Minister, but that he feared he should not be able to enter fully into the subject with him until Wednesday, both the Minister and himself having their time employed on objects which at present, and for some time past, had engrossed much of their attention. He then asked Mr. Jay if he had written to Congress to stop drawing bills on him. Mr. Jay replied that he could not with propriety give such information to Congress, after the general and repeated assurances made him by the Count de Florida Blanca ever since his arrival here, and particularly the Minister's declaration that he should be able to furnish him with thirty or forty thousand pounds sterling at the end of the present or commencement of the next year, and that in the meantime other arrangements might be taken to pay such bills as might become due after that period. He added, that if the Count had candidly told him that he could not furnish him with money to pay the bills, he should then immediately have informed Congress of it, who would have taken of course the proper measures on the occasion, but that should he now send a true account of all that had passed between the Count de Florida Blanca and himself thereon, he could not answer for the disagreeable effects such intelligence would produce. The Count seemed to think the Spanish Minister would pay the bills that had been already presented, and had probably delayed giving Mr. Jay an answer until the arrival of the person he expected, who he understood was detained by the necessity of making some arrangements in his family before he left it.

On this Mr. Jay remarked that this did not accord with the

information the Minister had given him near three weeks before, that the said person was then about to set out.

The conference ended with a promise of the Count de Montmorin that he would endeavor to speak to the Count de Florida Blanca on the subject, but that he was afraid he should not be able to do it fully until Wednesday next.

Finding that the Ambassador could not do any thing till Wednesday next, and that the Minister's determined silence left no room to hope much from him very soon, I despatched letters by express to the holders of the bills, and requested a little more time. I was apprehensive that if I should accept them without the Minister's consent, it might become an objection to his providing for their payment, and appearances led me to suspect that any tolerable excuse for such refusal would have been very grateful.

The French Ambassador did not as usual return my visit. I dined with him, nevertheless; but his behavior, though polite, was dry, and not cordial and open as before. He mentioned not a syllable of his having received a letter from Philadelphia. These circumstances increased my apprehensions that his letter contained some things unpleasant.

On Wednesday afternoon, 30th of August, I waited on the Ambassador to know the result of the conversation he had promised to have with the Minister on our affairs. He did not appear very glad to see me. I asked him whether he had seen the Minister and conversed with him on our affairs. He said he had seen the Minister, but that as Count d'Estaing was present, he had only some general and cursory conversation with him, and slipping away from that topic, went on to observe that I would do well to write another letter to the Minister, mentioning the number of letters I had already written, my arrival here, and my desire of a conference with him. I told the Ambassador that while four letters on the subject remained unanswered, it could not be necessary to write a fifth. That these letters had been written with great politeness and circumspection; that the last was written the day of my arrival at St. Ildefonso; that I had also gone to the Minister's house to pay my respects to him, and on being told he was sick, had left a card; and that notwithstanding these marks of attention and respect, I still continued unanswered and unnoticed. I observed to him further, that this

conduct accorded ill with the Minister's assurances; that unless I had met with more tenderness from the holders of the bills, they would have been returned noted for non-acceptance; that if such an event should at last take place, after the repeated promises and declarations of the Minister, there would of necessity be an end to the confidence of America in the Court of Spain.

He replied that he hoped things would take a more favorable turn; that to his knowledge the Minister had been of late much occupied and perplexed with business; that I ought not to be affected with the inattention of his conduct; that I should continue to conduct the business smoothly, having always in view the importance of Spain, and remembering that we were as yet only rising States, not firmly established, or generally acknowledged, &c., and that he would by all means advise me to write the Minister another letter *praying* an audience.

I answered that the object of my coming to Spain was to make *propositions*, not *supplications*, and that I should forbear troubling the Minister with further letters till he should be more disposed to attend to them. That I considered America as being, and to continue independent in *fact*, and that her becoming so in *name* was of no further importance than as it concerned the common cause, in the success of which all the parties were interested; and that I did not imagine Congress would agree to purchase from Spain the acknowledgment of an undeniable fact at the price she demanded for it; that I intended to abide patiently the fate of the bills, and should transmit to Congress an account of all matters relative to them; that I should then write the Minister another letter on the subject of the treaty, and if that should be treated with like neglect, or if I should be informed that his Catholic Majesty declined going into that measure, I should then consider my business at an end, and proceed to take the necessary measures for returning to America; that I knew my constituents were sincerely desirous of a treaty with Spain, and that their respect for the House of Bourbon, the desire of France signified in the secret article, and the favorable opinion they had imbibed of the Spanish nation, were the strongest inducements they had to wish it; that the policy of multiplying treaties with European nations was with me questionable, and might be so with others; that for my own part, I was inclined to think it the interest of America to rest content with the treaty with France, and

by avoiding alliances with other nations, remain free from the influence of their disputes and politics; that the situation of the United States, in my opinion, dictated this policy; that I knew it to be their interest, and of course their disposition, to be at peace with all the world; and that I knew too it would be in their power, and I hoped in their inclination, always to defend themselves.

The Ambassador was at a stand; after a little pause, he said he hoped my mission would have a more agreeable issue. He asked me if I was content with the conduct of France. I answered, most certainly; for that she was spending her blood as well as treasure for us. This answer was too general for him. He renewed the question, by asking whether I was content with the conduct of France relative to our proposed treaty with Spain. I answered, that, as far as it had come to my knowledge, I was. This required an explanation, and I gave it to him, by observing that, by the secret article, Spain was at liberty to accede to our treaty with France whenever she pleased, and with such alterations as both parties might agree to; that Congress had appointed me to propose this accession now, and had authorised me to enter into the necessary discussions and arguments; that, to give their application the better prospect of success, they had directed me to request the favorable interposition of the King of France with the King of Spain; that I had done it by letter to Count de Vergennes, who, in answer, had assured me of the King's disposition to comply with the request of Congress; and informed me that instructions analogous to this disposition should be given to the Ambassador at Madrid; that it gave me pleasure to acknowledge that his conduct towards me had always been polite and friendly, but that I still remained ignorant whether any, and what progress had been made in the mediation. He seemed not to have expected this; but observed, that all he could do was to be ready to do me any friendly office in his power, for that he did not see how his *mediation* could be proper, except in cases where points of the treaty were discussed, and could not be agreed upon. To this I replied, that these were only *secondary* objects of the expected mediation, and that the *primary* one was to prevail upon the King of Spain to commence the negotiation, and enter upon these discussions; but that I remained uninformed of what he might have done on that subject. The Ambassador made no direct reply to these remarks, but again proceeded to repeat his advice, that I should try one more

letter to the Minister. I told him I had, after much consideration, made up my mind on that subject, and that it appeared to me inexpedient to follow his advice in this instance; and that when he should see the letters I had already written, he would probably be of the same opinion. I promised to show him the letters the next day, and took my leave. How far the tone of this conversation may be judged to have been prudent I know not. It was not assumed, however, but after previous and mature deliberation. I reflected that we had lost Charleston, that reports ran hard against us, and therefore that this was no time to clothe one's self with humility.

On considering the earnestness with which the Ambassador had pressed me to write another letter to the Minister, I began to suspect that it might be the wish of the latter, who, conscious of having gone rather too far, might desire this way to retreat through. I concluded, therefore, to adhere to my resolution of not writing, but that if the Ambassador should confirm my suspicions by again pressing the measure, in that case to consent to send Mr. Carmichael to the Minister with my compliments, and a request that he would favor me with a conference at such time as might be most convenient to him.

The next day, Thursday, the 31st of August, I visited the French Ambassador, and showed him the four last letters I had written to the Minister. He confessed they were perfectly unexceptionable, but again advised me to write another; I told him I could not think of it, but that I would so far follow his advice as to send Mr. Carmichael to request of the Minister the favor of a conference. The Ambassador expressed much satisfaction at this proposal, and immediately promised to speak to the Minister on the subject. He advised, however, that I should delay the measure till Saturday, on account of some urgent business which then employed the Minister. To this I agreed. I hinted to him, that the person expected to succeed Mr. Mirales was in town. He said he did not know, and waived the subject. I thought if that was really the case, it could do no harm that the Minister should know I suspected it. In the afternoon the Ambassador's Secretary paid me a visit, and seemed desirous of entering into particular conversation on the subject of our affairs, but as I did not approve of talking with the Ambassador through his Secretary, I avoided it, by turning the conversation to light and general topics. He asked me several leading questions,

and among others, whether there was a *M. Gardoqui* in town. I told him many persons came and departed that I was ignorant of, and passed on to another subject. Two persons about the Court mentioned to Mr. Carmichael this evening, that this person was arrived.

On Saturday morning, the 2d of September, I committed my message for the Minister to Mr. Carmichael, with directions, first to call on the French Ambassador, and ask him whether any thing new had occurred to render the delivery of it improper. He told Mr. Carmichael he had mentioned to the Minister my desire of seeing him that day, but that the Minister said he was so much occupied that it would be impossible. He nevertheless told Mr. Carmichael *he might go and see*. This being mentioned to me, I told Mr. Carmichael to go on.

After being long detained in the ante-chamber, he had an opportunity of delivering his message, and received for answer, that the Minister could not possibly see me till the next Tuesday evening, and that Mr. Carmichael should call again on Tuesday morning, to be informed whether it would be in his power to see me *then*; that the person so long expected was arrived; that he had been preparing instructions for him, and would endeavor in the meantime to send him to converse with me.

On Sunday, the 3d of September, Don Diego Gardoqui, of Bilboa, presented me a note from the Count de Florida Blanca, in these words :

Translation.

“The Count de FLORIDA BLANCA presents his compliments to Mr. Jay, and recommends to him to form an acquaintance with the bearer of this letter, being the person in question, whom he had expected from day to day.”

It is observable that M. Gardoqui's name is not mentioned in this letter, which appears the more singular, as the Count had never mentioned to me the *name* of the *person expected*. This was being very wary. Mr. Carmichael told me he took this to be the same person whom he saw first at the inn, and afterwards walking in the private gardens.

Hence, it appears that these strange delays were not unavoidable.

Probably, the desire of further intelligence of the enemy's operations in America, and the undecided state of Mr. Cumberland's negotiation, might have given occasion to them. To these may perhaps be added an expectation that our distresses would render us more pliant, and less attached to the Mississippi. But these are conjectures, and as men sometimes act without any settled system, it may not be prudent to scan their conduct by a supposed plan, however probable.

M. Gardoqui began the conversation by assurances of his personal attachment to our cause and country, which gave occasion to mutual and complimentary professions too unimportant to repeat. I told him that the holders of the bills, after having shown me great forbearance and delicacy, were at length perfectly tired; that the house of Casa Mayor had sent their bills after me, but that as I was not to expect the honor of a conference with the Minister until Tuesday evening, at soonest, I had requested time till Wednesday to give my answer. I therefore begged the favor of him to mention this to the Minister, and obtain his directions what I should do. He asked to what amount Congress had resolved to draw. I told him. He observed, that the Court ought previously to have been applied to. In answer to which I recapitulated the reasons before given to the Minister. He dwelt largely on the necessities of the State, and I expatiated on the extensive ideas entertained of Spanish opulence in America. He assured me they were mistaken, and spoke of the difficulties occasioned by the detention of their treasures abroad. He then remarked, that we offered no *consideration* for the money we solicited. I replied, that we offered the same consideration that other nations did who borrowed money, viz. the repayment of the principal with interest. He asked me if we had nothing further to offer, and mentioned ship timber. I said we had ship timber; but that as it belonged to individuals, the public could not get it otherwise than by purchase, and that it could answer no purpose to borrow money with one hand and instantly repay it with the other, for that a repayment in money or in ship timber, was the same thing in fact, and differed only in name. Besides, that if Spain wanted timber from America, it would be better, in case he went there, that he should be charged with that business, than that it should be under the direction of Congress, for that public works were always more expensive than private. He agreed in this. He again asked me

whether I could think of nothing else to offer. I told him no. Whether there was nothing on the side of the Mississippi that I could offer. I told him nothing that I could think of except land, and that I did not think it would be worth the King's while to buy a hundred thousand pounds worth of land there, considering the immense territories he already possessed. He inquired whether I thought Congress would draw for the whole sum. I answered that it was in my opinion not improbable, for that they would consider the acceptance of ten or twelve thousand dollars as a prelude to further aids, naturally supposing that if the King afforded us any supplies at all, they would be such as would correspond with his dignity, and not be limited to that little pittance. He desired me to meet him the next day at M. Del Campo's, which I promised to do.

I shortly after saw the French Ambassador, who, among other things, mentioned the proposed meeting at Del Campo's, which, with various other circumstances, shows his being on confidential terms with the Minister.

In the evening M. Gardoqui again paid me a visit, and pointedly proposed my offering the navigation of the Mississippi, as a consideration for aids. I told him that object could not come in question in a treaty for a loan of one hundred thousand pounds, and Spain should consider, that to render alliances permanent they should be so formed as to render it the interest of both parties to observe them; that the Americans, almost to a man, believed that God Almighty had made that river a highway for the people of the upper country to go to the sea by; that this country was extensive and fertile; that the General, many officers, and others of distinction and influence in America, were deeply interested in it; that it would rapidly settle, and that the inhabitants would not readily be convinced of the justice of being obliged, either to live without foreign commodities and lose the surplus of their productions, or be obliged to transport both over rugged mountains and through an immense wilderness to and from the sea, when they daily saw a fine river flowing before their doors, and offering to save them all that trouble and expense, and that without injury to Spain. He observed, that the present generation would not want this navigation, and that we should leave future ones to manage their own affairs, &c.

The next day, that is, the 4th of September, I met M. Gardoqui at M. Del Campo's. After some unconnected conversation. I

observed to M. Del Campo that as all the papers between the Minister and myself had passed through his hands, it was unnecessary to give him any information except what related to the present state of the bills drawn upon me, which I proceeded to state in a short, but particular manner. He replied by making several strictures on the impropriety of drawing bills without previous notice and consent. He remarked, that they might with more propriety have been drawn on France, with whom we were allied, and who were richer than they; that the King must first take care of his own people before he could supply us; that Spain had been brought into the war by our quarrel, but received no advantage from us; that they had been told of our readiness to assist in taking Pensacola, &c., but, instead of aids, he had heard of nothing but demands from us; that our situation was represented as being deplorable, and that the enemy talked of the submission of some of the States, and of negociations being on foot for that purpose.

Whether this style proceeded from natural arrogance, or was intended to affect my temper, I cannot say; in either case, I thought it most prudent to take no notice of it, but proceed calmly and cautiously, and the more so as this was the first time I had ever conversed with this man. I told him in substance, though more at large, that the assurances given Congress of the friendly disposition of Spain, by M. Mirales and others, had been confided in, and had induced Congress to expect the aids in question. That if this application could be called a demand, it was still the first they had made to my knowledge; that men in arms against the enemies of Spain were serving her as well as themselves, and therefore might without impropriety request her aid; that our separation from Britain was an object important to Spain, and that the success with which we had opposed her whole force for six years, showed what the power of both, if under one direction, might be capable of; that I knew nothing of Spain's having been drawn into the war by or for us, and that this was not to be found among the reasons she had alleged for it; that an attack on Pensacola could not be expected to be made by troops actually employed in repelling the enemy's assaults from their own doors, and that the principles of self-defence would not permit or justify it; that Spain had much to expect in future from our commerce, and that we should be able as well as willing to pay our debts; that the tales told of our despondency and submission

resulted from the policy of the enemy, not from fact, and I believed no more of their private negotiations between America and Britain, than I did of there being private negotiations between Spain and Britain for a separate peace, which the Minister assured me was not the case; that if, on the arrival of the bills, I had been told plainly that no money could be advanced, further drafts would soon have been prevented; but that a contrary conduct having been adopted, other expectations had been excited; that, as to France, she had done, and was still doing much for us, and that her being our ally did not confer propriety upon every request that we could make to her. He still pressed this point, and complained that the greater part of the money heretofore advanced by Spain had been laid out in France. He saw that France was deriving great commercial advantages from us, but that our commerce never would be an object with Spain, because all her productions would find a better market in her own colonies. He desired a note of the bills which had arrived, and then made some reflections on the proposal of a treaty. We agreed perfectly well that mutual interest should be the basis of it, and I added, that the good opinion entertained of the King and nation by America, was also a pleasing circumstance. He said, however that might be, America did not seem inclined to gratify Spain in the only point in which she was deeply interested. Here followed much common-place reasoning about the navigation of the Mississippi, of which your Excellency has heretofore heard too much to require a repetition. He spoke also much of the difficulties of Spain, as to money matters, saying that their treasures in America could at present be of no use to them, as they had given orders that none should be sent home during the war, even if it continued these ten years; and this was done in order, by stopping the usual current of specie into Europe, to embarrass the measures which Britain must take to obtain her necessary supplies.

On the 6th of September, M. Gardoqui brought me word that I might accept the bills of Casa Mayor, amounting to one thousand one hundred and ten dollars, which I accordingly did. The proposed conference was postponed, nor indeed was it obtained until the 23d of September.

On the 11th, the French Ambassador's Secretary called upon me, by the Ambassador's direction, to inform me that an express was going to Paris, and to know whether anything further had been done

in our affairs since he had seen me. I told him things continued in the same situation. He again commenced a conversation on the subject, and as he came directly from the Ambassador I entered into it. He expressed some concern for the delays I met with. I told him such things must be expected. He said he hoped I was content with France. I replied that I apprehended France considered an interference in our negotiations as a delicate matter, for that, as she had probably held up the exclusive navigation of the Mississippi and Gulf of Mexico among other objects to induce Spain to take a part in the war, she might hesitate about pressing Spain into a treaty with us on terms that would not comprehend this object. He said M. Gerard had reasoned well about those matters, but that he did not believe France would be backward, nor indeed that she had promised this to Spain to bring her into the war. I told him I should not be surprised to find that the delay arose from a desire of hearing further news from America, and probably from Philadelphia. He said that could not be the case, for since M. Mirales's death, Spain had no person there to give them intelligence. I told him that Spain might be waiting the issue of new motions respecting the Mississippi in Congress, and that I was sure Count de la Luzerne would readily be at the trouble of communicating to them any interesting information on *that* or any other subject. Whether he drew any conclusions from the manner in which this was said, I cannot say, but in a way that looked like exculpating that Minister, he told me that Count de la Luzerne had only mentioned to the French Ambassador that two members of Congress, with whom he had talked over the affair of the Mississippi, thought it would be best not to bring on the question of the navigation until Spain should become possessed of the adjacent country, for that then it might be ceded with a better grace. He mentioned no names. This explains the letter herein before mentioned. The inferences which flow from it are obvious. I incline to suspect that what I said in my letters on that head returned here by the same conveyance.

On the 13th of September, M. Gardoqui delivered me the following verbal message from Count de Florida Blanca: "That the exigencies of the State would not permit his Majesty to provide for the payment of more of the bills drawn upon me than had been already accepted." I expressed my regret that this had not been told me at first, and told him it appeared a little extraordinary that the

Minister should employ himself and me three months in making and answering propositions relative to a loan which it was not in his power to make. I touched also on the assurances from time to time given me, and intimated that something, which I could not at present see through, must have caused this change; that I lamented it the more, as it would weaken the foundations on which I wished to see a cordial union laid between the two countries.

I dined with the French Ambassador. He was a little out of spirits, and on talking to him on what had happened, I told him there was nothing now left but for me to apply to France. He encouraged the idea, and agreed with me that the bills ought to be by all means saved from protests. He imputed the conduct of Spain to resentment against M. Necker for opposing a certain scheme of Spanish finance, which he thought interfered with his plan. It is a curious one, but I shall omit it at present, as I fear Congress already wish this letter at an end. As the Count de Florida Blanca's message to me by M. Gardoqui was a verbal one, and might hereafter be denied or explained away as convenience might dictate, I thought it important to establish it, and for that and other reasons which need no explanation, I wrote the Count the following letter:

"St. Ildefonso, September 14th, 1780.

"Sir,

"The information I received yesterday from your Excellency by M. Gardoqui, has drawn the affair of the bills of exchange to a conclusion. He told me that the exigencies of the State would not permit his Majesty to provide for the payment of more of those bills than were already accepted, amounting to about fourteen thousand dollars.

"As it is important that every nation at war should know exactly the state of their resources, and as America has been induced to consider the friendship of his Catholic Majesty as among the number of hers, I must request the favor of your Excellency to tell me frankly whether the United States may expect any, and what aids from Spain. The general assurances of amity which that country has received from this, together with what has passed between your Excellency and myself relative to clothing for our troops, and supplies of specie in America, will I hope be considered as authorising this question; and the more so as M. Gardoqui, to whose

arrival your Excellency postponed the discussion of these matters, informs me he is not instructed to say any thing to me on these, or indeed any other subjects.

“I have the honor to be, &c.,

JOHN JAY.”

On this day some glorious reports from America arrived. It seemed as if she had risen like a giant refreshed with sleep, and was doing wonders. I sent the news to the Count as usual, without appearing to be affected by his late conduct. I began again to be seen, and in a few instances to be known.

The next day, the 15th of September, M. Gardoqui delivered to me a paper by way of answer to my letter of yesterday to the Minister. It is in these words :

“The following answer has been dictated to me in his Excellency’s name by Don Bernardo del Campo, to be delivered to the honorable John Jay.

“That it is not his Majesty’s intention to stop assisting the States whenever means can be found to do it, but that it will be impossible to supply them with money in Europe, there being none to spare, for that which ought to have come this year from America, has neither come, nor is it known when it will, and that which would have facilitated a far advanced negociation is likely to produce no effect, in a great measure, *through the undermining of some persons of rank in France.*

“The States not giving timely advice, nor having taken his Majesty’s previous consent, he could not arrange his affairs beforehand in order to assure the acceptance and payment of the bills they have drawn, for which reasons, and that Congress has not to this day given any tokens of a recompense, his majesty might have just cause of disgust, but notwithstanding he does not, nor will change his ideas, and will always retain those of humanity, friendship, and compassion, that he has had towards the Colonies. That, consequently, if Mr. Jay or his constituents should find money upon credit to the sum of one hundred or one hundred and fifty thousand dollars, that his Majesty will be answerable for the said sum, payable in the space of three years ; that his Majesty will besides exert all that is possible to assist them with clothing and other things, and, finally, in order that his Majesty may extend his further dispositions, it is precisely necessary that they should give sure and effective

tokens of a good correspondence, proposing reciprocal measures of a compensation that may establish a solid friendship and confidence without reducing it to words and protests of mere compliment.

"This being the substance, I would further suggest to Mr. Jay's consideration, that the continuance of assisting the States by answering the sum expressed in a manner much more public than that of paying the money privately, shows plainly the sincerity of his Majesty, although the States have not to this day proposed any equivalent to the assistance already given, and to the expenses occasioned by a war which had its true origin from them, to all which must be added (though, by the way, no credit is given to it) that there are hints of some understanding between the Colonies and England.

"St. Ildefonso, September 15th, 1780.

"JAMES GARDOQUI."

It is to be observed that this paper when first delivered was not signed, and suspecting that this omission might not be accidental, I mentioned it to M. Gardoqui a day or two afterwards. After some hesitation and doubts of its being necessary, he signed it. I made no remarks at all to M. Gardoqui on any part of this paper except the last article, which I treated with great indignation.

On the 16th I wrote a short letter and many copies to your Excellency, informing you of the necessity of suspending further drafts upon me for the present.

Three days afterwards I had a long and satisfactory conversation with the French Ambassador, in which he was very unreserved, candid, and confidential. He read to me part of a letter he intended to send to Count de Vergennes on our affairs, and justice calls upon me to say that we are obliged to him for it.

On the 22d of September I sent the following letter to Count de Vergennes by one of the Ambassador's couriers :

"St. Ildefonso, September 22d, 1780.

"Sir,

"I have never taken up my pen with so much reluctance as I now do, although my design is to write a letter to your Excellency. But, sir, there are few sensations more painful than those which they experience who, already covered with benefits, are impelled by cruel

necessity to ask for more. Such is my present situation, and hence proceeds my regret.

“My uniform and unreserved communications to the Count Montmorin, who has my fullest confidence, precludes the necessity and consequently the propriety of a minute detail of American affairs here.

“Your Excellency will recollect the resolution of Congress for drawing bills on me, as well as the reasons assigned for that measure. In my first conference with the Minister on that subject, he enlarged on the necessities of the State, but nevertheless told me he should be able, at the end of the present or beginning of the next year, to advance thirty or forty thousand pounds sterling, and that further arrangements respecting the residue should then be made.

“I afterwards received and answered propositions for the reimbursement of this money ; and from time to time was permitted to accept such of the bills as were most pressing.

“Things remained in this state till the 5th of July, when, after many warm assurances of friendship and good will, the further discussion of these matters was postponed by the Minister until the arrival of a person intended to succeed M. Mirales, the late Spanish Agent at Philadelphia, and I was told that they should then be arranged and adjusted.

“Several weeks elapsed after the time assigned for his arrival had expired. The holders of the bills became importunate, and insisting on my accepting or refusing them.

“I wrote several letters to the Minister requesting his directions, but was not favored with an answer to any of them.

“On the 3d instant, after fruitless endeavors to see the Minister, I received the following note from him by the hands of M. Gardoqui :

“‘The Count de FLORIDA BLANCA sends his compliments to Mr. Jay, and advises him to become acquainted with the bearer of this letter, who is the person that has been expected from day to day.’

“This gentleman made many remarks tending to show the propriety of America’s offering some specific consideration for this money, and hinted at the navigation of the Mississippi, ship timber, vessels, tobacco, &c., &c. I replied, that the only consideration Congress could offer, was that which all other nations at war, who borrowed money, offered, viz : to repay the principal with a reason-

able interest after the war; that I should deceive him were I to enter into contracts to pay it sooner; that the proposition of paying it during the war, in ship timber, tobacco, or other articles, did not lessen the difficulty, for that these things were worth, and cost money in America, as well as in Europe; and that as to the Mississippi, it could not come in question as a consideration for one hundred thousand pounds. The conversation was concluded, by his desiring me to meet him at M. Del Campo's the next morning. M. Gardoqui then, and since, behaved with temper, candor, and politeness.

"The next day we saw M. Del Campo. He was liberal in his censures on the measure of drawing the bills in question on Spain. He informed me that the King must first take care of his own people before he gave supplies to others; that Spain, instead of deriving advantage from America, heard of nothing but demands. That if Congress wanted money they should have drawn on France, with whom they were in alliance, and who had all the profit of their trade; that we ought to have distinguished between our allies and those who only wished us well, and that applications for aid might be proper to the one, which were not so to the other; that our affairs were in a ruinous condition, and that it was even said some of the States were holding secret negotiations for peace with the enemy, &c., &c., &c. My replies were such as the subject naturally suggested, and as prudence dictated; there are seasons when men mean not to be convinced, and when argument becomes mere matter of form. On such occasions we have little more in our power than moderation and temper. I gave M. Del Campo credit for his frankness, and wish I could with propriety have extended it to his delicacy.

"A day or two afterwards, viz., the 6th instant, I was permitted to accept bills to the amount of one thousand one hundred and ten dollars.

"On the 13th, M. Gardoqui, by order of the Minister, told me that the exigencies of the State would not permit the King to provide for the payment of more of the bills than had been already accepted, amounting to about fourteen thousand dollars. This gave occasion to my letter to the Minister of the 14th, and to his answer of the 15th, which was dictated by him to M. Del Campo, and by M. Del Campo to M. Gardoqui, copies of both of which your Excellency will receive from Count Montmorin. The Minister's answer made a

conference between us expedient. I requested that favor the 15th instant, and have been informed that the Count de Florida Blanca will endeavor to see me on Saturday evening next.

“I forbear remarks on this singular conduct. I wish it could be explained in a manner compatible with the reputation Spain enjoys in North America. I much fear partial resentments, which ought not to affect America, have been permitted to have an undue degree of influence, and that the Minister forgot, in his zeal for a certain scheme of finance, that it was unjust to wound opponents through the sides of their friends. But whatever may have been the cause, the effect, unless removed, will be destructive, and France only can at present afford the means of doing it.

“When I consider, on the one hand, that France was our first, and is still our best, and almost only friend; that she became our ally on terms of equality, neither taking nor attempting to take ungenerous advantages of our situation; that she has clothed and armed our troops, and is at this moment assisting us with her fleets, her armies, her treasure, and her blood, gratitude and generosity forbid me to solicit a further tax on her magnanimity. But, on the other hand, when I reflect that the loss of American credit would be a loss to the common cause, and an eventual injury to France; that such an event would be a matter of triumph to our common enemy, and of pain to our friends; that the honor of Congress, suspended on the fate of these bills, now hangs as it were by a hair, and that our enemies here and elsewhere are doing all in their power to cut it; when I consider that America would feel more sensibly the loss of reputation in this instance, than the loss of battles in many others;—I say, sir, when I consider these things, I find it to be my duty to request your Excellency to interpose the amity of France, and that his Majesty will be pleased to add this strong link to the chain of benefits by which he has already bound the affections of America to his family and people.

“I ought to inform your Excellency that bills for about fifty thousand dollars remain unaccepted. The greater part of these are in the hands of merchants, who waited my answer with a degree of patience I could not have expected; some of them ever since the month of June last. Further delays, therefore, were not to be asked or obtained, and I was reduced to the necessity, either of promising to accept them, or permit the credit of Congress to perish with them.

I could not long hesitate. I promised to accept them. Fortunately, these bills have hitherto come on slowly, though it is probable that the assurances of Spain, which I have communicated to Congress, may quicken their pace. A period, however, will soon be put to their drawing, as I have written to them by several conveyances immediately to stop.

"I ought also to inform your Excellency, that a promise made me in June last of some clothing for our troops has been renewed, and that his Majesty has been pleased to offer us his responsibility to facilitate a loan of one hundred and fifty thousand dollars. I shall endeavor to make the most of this offer, and your Excellency may rest assured that I shall gladly embrace every measure which may be calculated to lessen the weight with which the American cause presses on the finances of France.

"I have the honor to be, &c.,

JOHN JAY."

I also sent a copy of this letter to Dr. Franklin, enclosed in one of which the following is a copy :

"St. Ildefonso, September 22d, 1780.

"Dear Sir,

"I have lately written to you several letters. Enclosed is a copy of one to Count de Vergennes, which Count Montmorin, who also writes to him on the same subject, is so obliging as to send together with this, by a courier to Bayonne.

"The papers you have heretofore received from me, with those now sent, will enable you to understand it, and I am persuaded your abilities and influence will be exerted to promote the success of the application contained in it. It appears to me absolutely necessary that the bills drawn on me be saved at all events. If, contrary to my ideas of the wisdom and affection of France, she should not lend us money for the purpose, we must endeavor to borrow it of individuals, though at a higher than usual interest ; nay, on any terms, rather than not get it. Almost any thing will be better than a protest ; for exclusive of the disgrace, which is intolerable, the consequences of it would cost Congress more than the expense of saving their credit, be it almost what it will.

"I am, &c.,

JOHN JAY."

The Ambassador informed me that he had received despatches

from Philadelphia, which gave him and the Court great pleasure, viz: That Congress had, at the instance of the Chevalier de la Luzerne and Don Francisco, agreed to make a diversion to the southward in order to facilitate the Spanish operations in that quarter; that a noble spirit was pervading all ranks of people; that we had been successful in Jersey, &c., &c., and in short, that the Chevalier de la Luzerne was much pleased with Congress and the general aspect of affairs in America. I lamented in silence that I should have no other intelligence of all this but from a French Ambassador.

He informed me further, that he believed we should now be able to get some of the clothing taken from the enemy by Admiral Cordova; that he had, and would continue to cherish the idea. We had a long conversation; he gave me much good advice, some useful information, and many assurances of cordiality and good will.

On the evening of the 23d, I was admitted to the honor of a conference with his Excellency the Count de Florida Blanca; and M. Gardoqui, who understands Spanish and English exceedingly well, performed the part of interpreter.

The following notes of the conference are very exact as to every particular.

Notes of a conference between his Excellency the Count de Florida Blanca and Mr. Jay, at St. Ildefonso, on Saturday evening, September 23d, 1780.

After the usual civilities, the Count began the conference by informing Mr. Jay that the Court had received intelligence from the Havana, of Congress having so far complied with the request made to them to permit the exportation of provisions for the use of his Majesty's fleets and armies there, as to give license for shipping three thousand barrels of flour, circumstances not admitting of further supplies at that time; that this business was conducted by Mr. Robert Morris in a manner with which he was well pleased; that Congress had also, in order to promote the success of the Spanish operations against Pensacola, &c., agreed to make a diversion to the southward, to detach a considerable body of regular troops and militia to South Carolina under General Gates; that his Majesty was well pleased with, and highly sensible of, these marks of their

friendly disposition, and had directed him to desire Mr. Jay to convey his thanks to them on the occasion.

Mr. Jay expressed his satisfaction at this intelligence, and promised to take the earliest opportunity of conveying to Congress the sense his Majesty entertained of their friendship, manifested by these measures. He told the Count it gave him pleasure to hear the business of the Spanish supplies was committed to Mr. Robert Morris, and assured him that the fullest confidence might be reposed in that gentleman's abilities and integrity. He requested his Excellency again to assure his Majesty that he might rely on the good disposition of Congress, and of their evincing it in every way which the situation of their affairs and the interest of the common cause might render practicable and expedient. The Count told Mr. Jay that he had proposed to the French Ambassador to send to Congress for the use of their army, clothing for ten regiments lately taken in the convoy bound from Britain to Jamaica, and in which the two Crowns were equally interested; that the Ambassador approved the proposition, but had not yet given his final answer. He then observed that a negotiation for a peace between Britain and Spain appeared at present more distant than ever; that the former had offered his Majesty every thing he could desire to induce him to a separate peace; but that the King, adhering to the same resolutions in favor of America which had influenced his conduct in his mediation for a general peace, and since, had rejected them, and that Congress might rely on his Majesty's determination never to give up or forsake America, but on the contrary continue affording her all the aids in his power.

He told Mr. Jay that the Court of London, disappointed in their expectations of detaching Spain, had it in contemplation again to send Commissioners to America to treat with Congress on the subject of an accommodation with them; that this measure was at present under the consideration of the Privy Council, and that there was reason to suppose it would be adopted. He observed, that the English had hitherto discovered much finesse and little true policy; that first they endeavored by their intrigues in France to separate that kingdom and America, but not succeeding there they sent Commissioners to America; that the last year they attempted to detach France, and this year Spain, and that being unsuccessful in both they would again attempt America; that the best way of

defeating their designs was mutual confidence in each other. He remarked, that America could not rely on any promise of Britain; and asked, if she was once detached from France and Spain, who could compel an observance of them? Mr. Jay thanked the Count for this communication, and assured him that Congress would not only adhere to their engagements from motives of interest, but from a regard to their honor, and the faith of treaties; that the opinion of Congress on this subject corresponded with that of his Excellency, and that their conduct with respect to the former English Commissioners gave conclusive evidence of their sentiments on the subject. Mr. Jay promised in case he received any intelligence relative to this matter, his Excellency might depend on its being communicated immediately to him.

The Count appeared satisfied with this, and again repeated his former assurances of the King's good disposition towards America, &c., &c.

Mr. Jay informed his Excellency, that the subject on which he was desirous of conversing with him arose from the paper he had received from M. Gardoqui the 15th instant, containing his Excellency's answer to Mr. Jay's letter of the 14th.

Mr. Jay then requested the Count to communicate to his Majesty his thanks for the offer he had been pleased to make of his responsibility in order to facilitate a loan of one hundred and fifty thousand dollars, and also for the promise of clothing, &c., &c., and to assure him that the gratitude of the States would always be proportionate to the obligations conferred upon them; he observed to the Count that he intended to attempt this loan in Spain, France, and Holland, and begged to be informed in what manner he should evidence the responsibility of his Majesty to the persons who might be disposed to lend the money, for that in this, and other similar cases, he meant to be guided by his Excellency's directions. The Count replied, that as this matter fell within the department of M. Musquir, the Minister of Finance, he would consult him upon it on Tuesday evening next, and immediately thereafter inform Mr. Jay of the result. He then apologized and expressed his regret for not being able to furnish the money he had expected to supply, (alluding evidently to the *thirty or forty thousand pounds* which, in the conference at Aranjues, the 11th day of May last, he said he expected to be able to supply by the end of this or beginning of

next year.) He said he had been disappointed in the remittances expected from America, for he was advised that two ships which he had expected would arrive from thence with treasure in December or January next would not come, and that this and other circumstances rendered it impossible for him to advance us any money in Europe. But that he would, nevertheless, agreeably to the King's intentions, give us all the assistance in his power.

Mr. Jay desired to be informed whether any steps were necessary for him to take for forwarding the clothing at Cadiz to America. The Count answered, that he waited the French Ambassador's answer on the subject, and that he had as yet no inventory of them, but that he would again speak to the Ambassador, and make arrangements for sending them on to America as soon as possible.

Mr. Jay then proceeded to regret, that the pleasure he derived from these instances of his Majesty's friendship to the United States, was mingled with pain from being informed by the abovementioned paper, that the King conceived he might have just cause to be disgusted with them.

Because, 1st, they had drawn the bills of exchange without his previous consent; and, 2dly, because they had not given any tokens of a recompense. Mr. Jay reminded his Excellency that these bills were drawn upon himself, and not on Spain, and although that Congress might have hoped, for reasons already assigned, to have been enabled to pay them by a loan from his Majesty, yet that every other usual measure was left open for that purpose. That an application to Spain for such a loan could give no just cause of offence, for that if it had not been convenient to her to make it, all that she had to do was to have told him so, and he was then at liberty to take such measures for procuring it elsewhere as he might think proper. The Count replied, that what Mr. Jay observed was true, but that certainly the bills were drawn with an expectation of their being paid by Spain, and that this might probably have been done, if previous notice of the measure had been given. That he always intended to have done something towards their payment, but had been prevented by disappointments, and the exigencies of the State. Mr. Jay continued to observe, that the second cause assigned for this disgust, viz: that Congress had given no tokens of a recompense, must have arisen from a mistake. He reminded his Excellency, that he had never requested a donation from Spain;

but that, on the contrary, he had repeatedly offered to pledge the faith of the United States for the repayment, with interest, within a reasonable time after the war, of whatever sum his Majesty might be so kind as to lend them. To these remarks, the Count said only that interest for the money would have been no object with them; that they would gladly have lent it to us without interest, and repeated his regret at the disappointment which had prevented them. He appeared rather uneasy and desirous of waiving the subject.

Mr. Jay next called the Count's attention to a part of the paper in question, which informed him, "that there were hints (though no credit was given to it) of some understanding between America and the Court of London." He observed, that this subject was both delicate and important; that so far as this understanding related to Congress, or the governments of either of the States, he was sure that this insinuation was entirely groundless; that there might possibly be intriguing individuals, who might have given cause to such suspicions; that if there were such men or bodies of men it would be for the good of the common cause, that they should be detected and their designs frustrated. He therefore requested that, if his Excellency had any evidence on this subject, he would be pleased to communicate it, and thereby enable him to give Congress an opportunity of taking such measures as circumstances might render proper. The Count said he had nothing specific or particular as yet to communicate. That he was pursuing measures for further discoveries, and that he would mention to Mr. Jay whatever information might result from them.

Mr. Jay resumed his animadversions on the paper in question, by observing that it assured him it was necessary "that Congress should give sure and effective tokens of a good correspondence, proposing reciprocal measures of a compensation, &c., in order that his Majesty might extend his further dispositions towards them." That for his part he could conceive of no higher tokens, which one nation could give to another of friendship and good will, than their commissioning and sending a person for the express purpose of requesting his Majesty to enter into treaties of amity and alliance with them, and that on terms of reciprocity of interest and mutual advantage. To this the Count replied, that to this day he was ignorant of these terms, and that no particular propositions had been made him. Mr. Jay then reminded him of his letters from Cadiz,

and of the conference on the subject at Aranjues on the 2d day of June last, in the latter of which, after conferring on the subject of aids, and of the treaty, his Excellency had promised to reduce his sentiments on both to writing, and send him notes on each; that as to the first, Mr. Jay had received the notes, but not on the last; that he had been in constant expectation of receiving them, and that delicacy forbade pressing his Excellency on that matter, or offering anything further till he should have leisure to complete them.

He said he thought he had given them to Mr. Jay or Mr. Carmichael, which both of them assured him he had not. Of this the Count appeared after a little time satisfied, when Mr. Jay resumed the subject, by remarking that the order of conducting that business appeared to him to be this: that as a right was reserved by the secret article to his Majesty to accede to the treaty between France and America whenever he thought proper, and that the latter would go into a discussion of any alteration the King might propose that should be founded on reciprocity of interest, the first question was, whether his Majesty would accede to it as it was, or whether he would propose any and what alterations.

The Count here interrupted Mr. Jay, by saying that the interest of France and Spain with respect to America were so distinct as necessarily to render different treaties necessary. Mr. Jay answered that, admitting this to be the case, the treaty with France might be made the basis, and then go on *mutatis mutandis*. The Count proceeded to say that it would not conduce to the general pacification to hurry on the treaty; that finding Congress were not disposed to cessions, without which the King could not make a treaty, he thought it best, by mutual services and acts of friendship, to continue making way for more condescensions on both sides, and not excite animosities and warmth by discussing points which the King would never yield. That, therefore, Mr. Jay might take time to write to Congress on the subject, and obtain their instructions.

He said that, previous to Mr. Jay's or M. Gerard's arrival at Madrid, M. Mirales had informed him that Congress would yield the navigation of the Mississippi, but that M. Gerard informed him that Congress had changed their resolution on that subject; that he had mentioned these obstacles to Mr. Jay and Mr. Carmichael, and it was probable that having done this, he had neglected or forgotten to give Mr. Jay the notes in question. Mr. Jay here reminded his

Excellency, that the conference between them of the 2d day of June last turned among other points on these obstacles, and that they had then mutually expressed hopes that regulations calculated to remove them in a manner satisfactory to both parties might be adopted, and that the conferences respecting them were concluded by his Excellency's promising to give Mr. Jay notes of his sentiments on the proposed treaty. The Count admitted this, and made several observations tending to show the importance of this object to Spain, and its determination to adhere to it, saying, with some degree of warmth, that unless Spain could exclude all nations from the Gulf of Mexico, they might as well admit all; that the King would never relinquish it; that the Minister regarded it as the principal object to be obtained by the war, and *that obtained*, he should be perfectly easy whether or no Spain procured any other cession; that he considered it far more important than the acquisition of Gibraltar, and that if they did not get it, it was a matter of indifference to him whether the English possessed Mobile or not; that he chose always to speak his sentiments plainly and candidly on those occasions, for which reason he generally acted differently from other politicians, in always choosing to commit himself to paper, and appealing to the knowledge of the French Ambassador and others, who had done business with him, for the proofs of this being the principle of his conduct. He concluded by saying he would give his sentiments in writing on this subject to Mr. Jay.

Mr. Jay made no reply to the Count's remarks on the navigation, but observing that, being little acquainted with the practice of politicians, he was happy in having to treat with a Minister of his Excellency's principles. He added, that there were many points necessary to be adjusted in order to a treaty; that they might proceed to agree upon as many as they could, and with respect to the others, he should state them clearly to Congress, and attend their further instructions.

Mr. Jay then again turned the conference to the paper before mentioned, by observing to the Count, that it appeared from it that the King also expected from Congress equivalents to the supplies formerly afforded, and also the expenses of the war, which it alleged had its origin from them. That as to the first, he could only repeat what he had before said, that a general account of them was necessary. That he neither knew the amount of them, nor the terms on

which they were granted; that it was a transaction previous to his appointment; that on being furnished with the necessary information, he would transmit it to Congress, and wait their instructions; that an expectation of an equivalent to the expenses sustained by Spain in the war, was inadmissible on every principle. He read the passage in question, and remarked, that America could no more be justly chargeable with the expenses of the war sustained by Spain, than Spain could be justly chargeable with the expenses of the war sustained by America. The Count replied that Mr. Jay had mistaken his meaning, and that he urged it merely to show that as the States were deriving considerable advantages from very expensive operations on the part of Spain, that consideration should incline them to more condescension towards the latter.

Mr. Jay assured his Excellency that he knew it to be the disposition of Congress to contribute all in their power to the success of the common cause, and that they would on every occasion give proofs of it, and among others, that he was confident they would permit his Majesty to export from thence *during the war* ship timber and masts for the Royal navy, and would readily consent to such measures as might be proper and necessary for facilitating it. He further observed, that having been informed by M. Gardoqui that his Majesty would like to take and finish a seventy-four gun ship now on the stocks in one of the eastern ports, on which it was said no work was doing, he would with pleasure write to Congress and propose their transferring her to his Majesty at prime cost. That this previous step was necessary, as Congress might perhaps intend that vessel for particular services, but he was confident they would otherwise be happy in indulging his Majesty's inclinations. The Count appeared pleased with this. He said that with respect to timber they stood most in need at present of yards, and should be glad to obtain a supply of them from Congress. That as to the ship, he wished to be informed exactly of her present state, and the materials wanted to complete and equip her, which he observed might be sent from the Havana, and whether a crew of Americans could be had to navigate her there. Mr. Jay replied that though he was sure that Congress would readily give their aid in these and other matters interesting to Spain, yet he could not forbear reminding his Excellency as a friend, that public business done under the direction of public bodies was always more expensive than when

done by individuals. That, therefore, he would submit it to his consideration whether it would not be more advisable to commit the management of these affairs to the agent intended to succeed M. Mirales, who, by being on the spot, would have opportunities of acting on exact information, and in a manner more consistent with the views of his Excellency. The Count agreed in this opinion, and promised to communicate to Mr. Jay his further intentions on this subject.

Mr. Jay informed the Minister that as his further stay here would now be unnecessary, and business called him to Madrid, he purposed to return there on Monday next. The Count concurred, and the conference ended.

Congress will permit me to observe that many things in this conference are important, and demand instructions. I forbear to point them out, because they are obvious; and I take the liberty of giving this hint from a knowledge of the delays attending the proceedings of large bodies.

I returned to Madrid on the day appointed; and whether to accept or not to accept the bills became a very serious question. After reviewing all the reasons for and against it, which are numerous, and which Congress will readily perceive without a particular enumeration, I determined to put a good face on the business, and accept all that should be presented, which I have accordingly done, and am daily doing. What the event will be I cannot pretend to decide. All that I can say is, that my endeavors shall not be wanting to render it successful. The responsibility of the King will not produce much, and the difficulty of borrowing money has been increased by the number of agents sent to Europe for that purpose by several of the different States, who I am told have imprudently bidden on each other.

M. Gardoqui returned to Madrid a few days after I did, and brought me word from the Minister that instructions should be sent to their Ambassadors in Holland and France, to assure in due form the responsibility of the King to such persons as might there incline to lend us money on the credit of it, and that the Minister would do the same here. He told me further, that the Minister hoped I would not be discouraged, nor consider things only on the dark side, for that it was still his intention to afford America every aid in his power. All this I ascribe to the exertions of America, and I am

confident that it will always be necessary for the United States to be formidable at home, if they expect to be respectable any where.

For my own part, I shall be disappointed if I find Courts moving on any other principle than political ones, and, indeed, not always on those. Caprice, whim, the interest and passions of individuals, must and will always have greater or less degrees of influence. America stands very high here at present. I rejoice at it, though I must confess I much fear that such violent exertions may be followed by langour and relaxation. What the plan of this Court is with respect to us, or whether they have any, is with me very doubtful. If they have rejected all the overtures of Britain, why is Mr. Cumberland still here? And why are expresses passing between Madrid and London through Portugal? If Spain is determined that we shall be independent, why not openly declare us so, and thereby diminish the hopes and endeavors of Britain to prevent it? She seems to be desirous of holding the balance, of being in some sort a mediatrix, and of courting the offers of each by her supposed importance to both. The drawing of bills on me was considered as a desperate measure, prompted by our imbecility, and was a bad card to play at a time we were endeavoring to form a treaty, and when prudence demanded that the importance of Spain to us should not have been brought forward or placed in such a glaring point of view.

One good consequence, however, has resulted from it. The cordiality of Spain has been tried by it. For I know of a certainty, that it was in her power easily to have made the loan we asked. Indeed, we shall always be deceived, if we believe that any nation in the world has, or will have, a disinterested regard for us, especially absolute monarchies, where the temporary views or passions of the Prince, his Ministers, his women, or his favorites, not the voice of the people, direct the helm of State. Besides, from the manner in which the war is carrying on, it would seem as if it was the design of France and Spain that the longest *purse*, not the longest *sword*, should decide it. Whether such be really their intention, or how far it may be politic, I cannot pretend to determine. This, however, is certain, that it would be putting the affair on a hard issue for us. It is also certain, that some respect is due to appearances and probable events, and we should be cautious how we spend our money, our men, or our public spirit uselessly.

In my opinion, we should endeavor to be as independent on the

charity of our friends, as on the mercy of our enemies. Jacob took advantage even of his brother's hunger, and extorted from him a higher price than the value of the Mississippi even for a single dinner. The way not to be in *Esau's* condition, is to be prepared to meet with *Jacob's*.

From what I can learn of the King's character, I am persuaded, that a present from Congress of a handsome fast sailing packet boat would be very acceptable, and consequently very useful.

I am informed, and believe, that a loan from individuals in France is impracticable. Here nothing can be done in that way. What may be expected from the like attempts in Holland, I am unable to say.

I have received no answer to my letter to Count de Vergennes ; the Ambassador informs me that the Count has written him on the subject, and the following is an extract from his letter :

Translation.

"I doubt whether I shall be able to render Mr. Jay the service he requests of me, independently of what the Ministry has furnished the Americans in the course of the year. Dr. Franklin is urgent for a million extra, to meet the drafts of Congress to the 31st of December. I am sensible how important it is to prevent them from being returned protested, but the difficulty is to find the means. I shall do my best in this exigency, but am not sure of success ; beyond this, it would be impossible for me to go."

Dr. Franklin has obtained some more money from his Court, and I am to have twenty-five thousand dollars of it ; perhaps he may be able to advance more, but how much, I cannot say.

November 1st, 1780. No orders have as yet been given respecting the clothing. I have applied and reapplied, and have been promised and repromised. I employed Mr. Harrison, at Cadiz, (with the Minister's concurrence,) to make the purchase; and he has several weeks been waiting for these orders.

General Gates is defeated, and Mr. Laurens in the Tower. Our sky in this quarter is again darkened with clouds not in my power to dispel.

I had flattered myself with receiving before this time some regulations respecting American seamen.

The house of Le Couteulx have refused to continue their care of them, or to advance more money on that account. They complain that the American captains under various pretexts refuse to give them passages, without being paid for them. This is cruel.

The following are copies of their letter to me on the subject, and my answer :

Le Couteulx and Co. to John Jay.

“ Cadiz, October 3d, 1780.

“ Sir,

“ Our supplies for the American sailors amount at this day to . We will continue to render them every service in our power, but will confess to you ingenuously, that if you do not furnish us with an order from Congress, by which you empower us to oblige all American captains, who come here, to take a certain number of people, in proportion to their bulk, free of passage, and afterwards so many more on paying them a certain sum for their provisions, we can advance nothing ; as all the captains who come here never fail of showing good motives for not taking any of their fellow countrymen, without paying them a passage, which forces us to let the people go on board neutral vessels ; and instead of fulfilling your views of sending them back as soon as possible, this is a means by which they get still further from it, and a great many engage in the English service.”

To Le Couteulx and Co.

“ Madrid, October 15th, 1780.

Gentlemen,

“ I have been honored with your favor of the 3d instant, and am much obliged by your attention to the letter it enclosed. You were not mistaken in supposing that the handwriting was mine. That letter was enclosed in one for Mr. Harrison, and sent under convoy to you.

“ It gives me concern to find that you have so much trouble with American seamen, and I much lament that it is not in my power to comply with the terms on which alone you incline to continue it. I have written more than once to Congress on the subject, and submitted to their consideration the propriety of establishing proper regulations for the conduct of that business, but as yet I have

received none. I presume that their attention has been so engaged by other matters of higher and more pressing importance, as not to have had leisure for making these arrangements. The refusal of American captains to give passages to their unfortunate countrymen is certainly unkind. I shall communicate to Congress, and I hope proper measures will be taken to remove that obstacle. At any rate, however, I cannot leave these unhappy captives friendless in a strange country. The unfeeling treatment of the captains rather stimulates than represses my commiseration, and therefore, gentlemen, as it is not convenient to you to proceed in your care of them but on terms not in my power to comply with, I find myself reduced to the necessity of requesting that favor from others. For this purpose I have written to Mr. Harrison of your city, and proposed his undertaking it, and have desired him, in case he consented, to mention it to you. On that event I must beg the favor of you to give him such information and advice as may be useful to him in the management of those affairs. Be pleased also to liquidate your accounts with him ; they shall be paid without further delay.

“The attention and kind offices you have regularly paid to Americans, and the personal civilities that myself and family experienced from you while at Cadiz, will always continue to excite my warmest acknowledgments, and lead me to omit no opportunity of convincing you of the esteem and regard with which I am, gentlemen, &c.,

“JOHN JAY.”

I have before mentioned to Congress my difficulties as to correspondence. They continue, and I am obliged to give Colonel Livingston the trouble of carrying this letter to Bilboa, and delivering it with his own hands to the captain of some American vessel. Congress might have letters from me every month, if orders were given to the captains of the vessels bringing despatches for me, to send a trusty officer with them to me. I know that all are opened, and some suppressed, and I can think of no other way of avoiding these inconveniences. It is important that our correspondence be uninterrupted.

I have written very particularly, perhaps more so than may be prudent, but as I think it my duty, I pay no regard to consequences. If Congress will be equally well satisfied with less minute information, I wish to be told so, that their direction on this head may

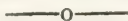
govern me in future. I cannot forbear again observing, that few of their proceedings remain long secret. I have very good authority for saying that copies of the letters, which passed between the Committee and the late Commissioners in France, are now in the hands of a certain foreigner. How he got them I do not know, but such is the fact, and in my opinion it calls for more care in future.

If my letters meet with the same fate, my remaining here will become a useless expense to my country.

I think I have written every thing material to enable Congress to know the exact state of their affairs here. If, however, there should be any questions to which an answer would be agreeable to Congress, I wish to be informed of them; for since I left America, I have made it a rule to be always in a capacity to render a reason for every part of my conduct, and state with accuracy every fact relative to it.

I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

Madrid, November 30th, 1780.

Sir,

Your Excellency will receive herewith enclosed certain papers from Morocco, viz :

No. 1. Containing a letter of the 21st of April last, to me from Audibert Caille, who styles himself the "Consul appointed by the Emperor for such foreign nations as have none of their own in his dominions, to protect the strangers who may come to traffic in his ports pursuant to two proclamations published last year."

No. 2. My answer.

No. 3. Copy of M. Audibert's appointment.

No. 4. Copy of a declaration of the Emperor, 20th of February, 1778.

No. 5. A letter from M. Audibert Caille to Congress of 6th of September, 1779. Also, six printed copies of M. Audibert Caille's certificates.

These papers ought to have been sent with my letters of May last, but recollecting as I was then about to put them up, that if the originals should be lost on the passage, it might be difficult to obtain

others, I thought it most prudent to detain them to be copied, and wait for some other opportunity of getting them to the sea; none has, however, since occurred, and I did not think them of sufficient importance to render it necessary that either Mr. Carmichael or Colonel Livingston should carry them to one of the sea ports.

It is proper that your Excellency should be informed that on the 8th instant I had a conference with the Minister at the Escorial, in which I received many good *words* and friendly assurances, but time only can decide how they will terminate. I received a letter yesterday from Mr. Harrison of the 24th instant, and then no orders had arrived about the clothing. These delays may seem singular, but they are not uncommon. Mr. Cumberland is still here. The French and English fleets are at sea.

Although appearances are not very flattering at present, I hope they will in time become more so. Patience, prudence, and perseverance, sometimes effect much. It is in my opinion very important that no dissatisfaction be expressed in America at the conduct of Spain. Complaint and disgust can answer no good purpose, but may be productive of many disagreeable consequences. A cautious silence is the more necessary, as I am confident that there are persons in America who would make a merit of collecting and transmitting the sentiments of Congress, or *members* of Congress, on subjects interesting to the views and objects of persons in power here.

Colonel Livingston would have returned this fall at the expiration of the term expressed in his leave of absence, had I not taken the liberty of advising him to remain, and taken upon myself to adjust this matter with Congress. As he is employed and industrious in obtaining knowledge which may enable him to be useful in future to his country, I must join with him in requesting that Congress will be so kind as to extend his leave of absence to such further period as may be agreeable to them.

The enclosed paper marked No. 6, is a copy of a State of the Revenues and Expenditures of Spain in the year 1778. It was formed by a Secretary to one of the embassies, and a copy of it was given to Mr. Carmichael. I received it the last day of July, and had no safe opportunity of sending it before. What credit may be due to this account I cannot determine, and I have reason to think that there are few men in the kingdom who can. This Government, disposed to concealment and mystery in most matters, will not

probably permit an accurate knowledge of their revenues to be easily attained. This account is perhaps as near the truth as any other. The gentleman, it is said, took much pains in forming it, and it also met with the approbation of some foreign Ministers; but how far those Ministers were judges of the subject, I am uninformed. The remarks subjoined to this account are Mr. Carmichael's, and were added to the copy I received from him.

I send copies of several letters which passed between Messrs. de Neufville & Son, of Amsterdam, and myself, relative to the bills drawn on Mr. Laurens.* The conduct of that house has been so friendly and disinterested that I think Congress should be particularly informed of it, and by taking proper notice of it, induce others to follow the example.

I have the honor to be, &c.,

JOHN JAY.

No. 1.

FROM D'AUDIBERT CAILLE TO JOHN JAY.

Translation.

Aranjues, April 21st, 1780.

Sir,

By order of his Majesty the Emperor of Morocco, I wrote on the 6th of September in the last year to the Congress of the United States of North America, by way of his Excellency Dr. Franklin, their Plenipotentiary at the Court of France, to inform them of the pacific intentions of that Sovereign.

Not having yet received any answer on their part, I fear they have not received my letter, and by way of precaution, send your Excellency herewith joined an open copy, that after perusing it, you may make such use of it as you may think proper. I also send you a copy of the two manifests therein mentioned, as well as a translation of the patent of the consuls for foreign nations, with which his Majesty the Emperor has been pleased to honor me, and some copies of the certificates which he ordered me to give to the captains of ships which sail under his flag.

* These have been inserted in the order of their several dates.

I wish, sir, that you may receive all these papers with pleasure, and I request your Excellency to honor me with an answer, that I may be able to convince his Majesty the Emperor of Morocco that I have executed the commission he gave me to make known to Congress that the subjects of the said United States might come and traffic under their own flags in the ports of the empire of Morocco, in the like manner as they formerly did under the English flag.

Before I had the commission to write to Congress, I had already written on this subject to his Excellency Dr. Franklin, and I offered to interest myself cheerfully in establishing a good understanding between his Majesty the Emperor of Morocco and the Northern United States.

In case that Congress should be equally well pleased to be at peace with his Majesty the Emperor of Morocco, it will be proper to instruct the captains of American armed ships to let freely pass all ships sailing under the flag of his Majesty the Emperor, and will be provided with a certificate similar to the within mentioned copies.

I shall probably be obliged to remain here some days; as soon as my business shall be despatched, I shall set out for Cadiz, and from thence go to Salé, the place of my residence.

Whenever your Excellency may be pleased to honor me with your orders, you may address your letters to Messrs. Paul Greppi, Azarino and Company, merchants, at Cadiz, who will take care to forward them to me.

I am, with profound respect, &c.,

D'AUDIBERT CAILLE.

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No. 2.

TO D'AUDIBERT CAILLE.

Sir,

Your favor of the 21st day of April, 1780, with the papers enclosed in it, has come safe to hand.

The declaration of his Majesty the Emperor of Morocco does honor to his liberality and wisdom, and I shall with great pleasure transmit the copy of it, as well as of the other papers enclosed with it, to his Excellency the President of Congress.

Although I have no particular instructions on the subject, yet the knowledge I have of the sentiments of Congress enables me to give assurances of their disposition to cultivate peace and harmony with all nations. I am persuaded that his Majesty's declaration will be very agreeable to them, and that a correspondent conduct on their part towards the subjects of Morocco, will convince him of the truth of these assurances. I am much obliged to you for this mark of attention, and I flatter myself that by extending your good offices to such Americans as may resort to the ports of Morocco, they will have reason to consider you among the number of their friends.

Should anything interesting to America occur in Morocco, I request the favor of you to communicate it.

I have the honor to be, &c.,

JOHN JAY.

No. 3.

COPY OF M. D'AUDIBERT CAILLE'S APPOINTMENT.

Translation.

Copy of a French translation of a writing in Arabic, the most authentic of those that are written at the Court of his Majesty the Emperor of Morocco.

“Let the name of the only God be praised: there is neither wisdom nor power but what proceeds from the Lord most high and most mighty.

“We make known by this our present and generous writing, that we have appointed the Christian, D'Audibert Caille, who is the bearer hereof, to officiate as consul for all those nations who have no consuls in our dominion, and who are, the Empire of Germany, Russia, Prussia, Naples, Sardinia, Rome, Tuscany, the States of America, Genoa, Ragusa, Hamburg, Lubec, and Dantzic; all of whom may come into our ports, and each of them there traffic under the flag of his nation, such as it may be. The said consul will assist them, by our order, in whatever may be useful to them,

in like manner as the other consuls do towards the subjects of their nations. And all the officers and governors of our ports will acknowledge him for a consul as they do the other consuls, and whichsoever of the said nations shall come into our ports, they shall not be molested by any of our officers or commandants whatsoever of our ports. To all our captains whom we shall order to cruise by sea the said consul will give a passport, and we renew our order to him to hoist the flag of peace at his house, without being therein opposed by any body. He may also hoist it in any port whatever, where he may have a house of commerce, and he shall be mediator between us and the said nations, because we esteem him. Given the 8th of the moon of Alcahda, 1193. (1st of November, 1779.)"

Signed by the Emperor.

We, Stephen d'Audibert Caille, a French merchant, resident at Salé, appointed by his Majesty the Emperor of Morocco consul of those foreign nations who have none in his dominions, to protect them in that capacity on all occasions, and to be mediator between him and those nations, certify to all whom it may concern, that the above copy is conformable to the original, compared by Don Miguel Cassori, the interpreter of his Catholic Majesty. In faith of which, we sign the present certificate, sealed with the seal of the consulate of peace, at Salé. Done at Aranjues, where I happen to be in passing, the 21st of April, 1780.

S. D'AUDIBERT CAILLE.

No. 4.

Translation.

Copy of the Declaration which his Majesty the Emperor of Morocco (whom God preserve) orders to be notified to all the Consuls and Christian Merchants, who reside in the Ports of Tangier, Salé, and Mogadore, dated the 20th of February, 1778.

"That in future all vessels which carry Russian, German, Prussian, Hungarian, Neapolitan, Sardinian, Tuscanian, Genoese,

Maltese, or American flags, may freely enter into the ports of his dominions; and in consequence of his determination, he has given orders to the commanders of his vessels, that they let freely pass all ships and other vessels carrying the said flags without molesting them. To the end that they may arrive at his ports, take refreshments, and enjoy in them the same privileges and immunities with those of the other nations with whom his Imperial Majesty maintains peace."

I, the underwritten, employed by his Imperial Majesty for foreign affairs, certify that the contents of the preceding declaration are conformable to the truth. And in faith thereof, I sign this present certificate. At Salé, the 30th of October, 1779.

PEDRO UMBERT.

We, Stephen d'Audibert Caille, a French merchant residing at Salé, appointed by his Majesty the Emperor of Morocco to be consul of the foreign nations who have none in his dominions to protect them in that capacity on all occasions, and to be mediator between him and those nations, certify, to whom it may concern, that the said Don Pedro Umbert, who has signed the above certificate, is employed for foreign affairs at the Court of Morocco, and that in the said quality faith is to be given to his signature. In witness whereof we sign these presents, sealed with the seal of the consulate of peace, at Salé, the 1st of December, 1779.

S. D'AUDIBERT CAILLE.

No. 5.

D'AUDIBERT CAILLE TO CONGRESS.

Translation.

Salé, September 6th, 1779.

In quality of a French merchant, who has resided in this town

since the year 1773, and whom his Majesty the Emperor of Morocco has lately named consul for those foreign nations who have none in his dominions to protect the strangers who might come to traffic in his ports, in pursuance of the two manifestoes which he published last year, I have the honor to inform your Excellencies that it is his intention to be at peace with the United States of North America, and that their subjects can come to trade freely in his ports under American colors, with the like safety with those of the principal maritime powers in Europe who enjoy peace with him. Besides the good reception, which the Governors of the ports of this Empire will give to the subjects of the United States of North America, I will on my part render them all the services which may depend upon me as consul for those foreign nations who have none, and as being charged to invite them to come and traffic freely in these ports, in like manner as they formerly did under the English flag.

In order that I may be able to convince his Majesty the Emperor of Morocco that I have executed the commission he gave me to write as above to the Congress, I entreat your Excellencies to be pleased to honor me with an answer. If you think proper to write at the same time to his Majesty the Emperor of Morocco, relative to what I have written to you on his part, I will take care to obtain a very satisfactory answer; and I offer to interest myself very willingly, as far as may depend upon me, that a treaty of peace may be made between his Majesty the Emperor of Morocco, and the United States of North America, nearly similar to those which the principal maritime Powers have with him.

That this letter may the more safely pass to you, I address it to his Excellency Dr. Franklin, your Plenipotentiary with his Most Christian Majesty. Your Excellencies may answer me through the same channel, or directly by the way of Cadiz, addressing your letter to the Sieurs Paul Grippi, Azarino and Company. My address is, to Stephen d'Audibert Caille, consul for those foreign nations who have none in the dominions of his Majesty the Emperor of Morocco, residing at Salé, or simply "to d'Audibert, Santiago and Company," which is that of my house of commerce.

I am, with the most profound respect, &c.,

D'AUDIBERT CAILLE.

No. 6.

General State of the Revenues and Expenses of Spain, in the year 1778.

REVENUES.

	Reals de vel.
Provincial duties	70,000,000
Duties on tobacco	55,000,000
Duties on salt	20,000,000
Duties on wool	17,000,000
General duties	48,600,000
Duties on brandy	4,525,000
Two per cent. duty on the Octrois, former grants of the Crown	500,000
Taxes on the houses in Madrid	1,200,000
1. King's domain in the Serrera	140,000
Post office and couriers	34,000,000
Tax on cards	1,000,000
Stamp paper	4,312,000
Tax on the taverns in Madrid	196,000
Various revenues farmed	6,418,552
2. Manufacture of glass at S. Ildefonso	1,500,000
3. Manufactures of St. Ferdinando and Guaudalaxa ..	1,800,000
Extraordinary effects	35,000,000
Books of advocates and attorneys	62,000
Fines in the Chamber of Castile	72,000
Effects in the same chamber	786,800
Tax on the Grand Masters	1,800,000
Do. arising from the secular annals and vacancies	1,300,000
Royal lottery	4,500,000
Cruzada	20,000,000
4. Effects of the Kingdom of Navarre	47,500,000
*American revenue	200,600,000
Clergy	13,000,000
	<u>562,273,152</u>

* The American revenue is difficult to ascertain from this circumstance : that not arriving regularly and annually, it is necessary to have the receipts for several years to be able to form an exact calculation of the *modium communibus annis*.

EXPENSES.

	Reals de vel.
* The Court.....	108,500,000
5. Land forces.....	204,202,000
6. Marine.....	100,000,000
Secretary of the Indies.....	8,000,000
Department of Finance.....	4,500,000
Favers and justice.....	1,100,000
To support the tribunals.....	8,422,769
7. Secretary of State and foreign affairs.....	9,873,288
8. Extraordinary expenses.....	30,000,000
	474,598,251

I subjoin the result of my inquiries touching the articles marked No. 1, 2, 3, 4, 5, 6, 7, 8.

No. 1, 2, 3. The sums mentioned in the preceding statement as arising from the revenues numbered as above may be deducted, as concurrent testimony induces me to believe that the expenses consume near the whole of the revenue.

No. 4. I have been also assured that this article is much exaggerated.

No. 5. The expenses of this establishment have greatly increased, but I have not been able to ascertain the sum.

No. 6. I have heard from good authority that the expenses of the marine in 1776 amounted to one hundred and twenty-four millions of reals, owing to the expedition against Portuguese America. In 1777 they amounted to eighty-eight millions of reals, and in 1779 to near four hundred millions of reals; which information induces me to conclude that there were great arrears of the expenses of 1778, or that the estimate for that year is not exact.

No. 7, 8. The expenses of these departments have greatly augmented.

—O—

TO THE COMMITTEE OF FOREIGN AFFAIRS.

Madrid, November 30th, 1780.

Gentlemen,

I have had the honor of receiving from you a letter of the 16th

* The birth of the Infant has increased the Court expenses.

of June, and another of the 12th of July, 1780, with the several papers mentioned in them. With respect to the subjects of the first, you will find them fully discussed in my letter to the President of Congress, which will accompany this. The description of the bills will, I hope, answer good purposes.

How far the resolution which immediately follows the one respecting Mr. Dohrman can be fully executed, is hard to determine. Had I funds necessary for the purpose I should meet with few difficulties. The measure is a wise one, and my attention to it shall be unremitting. In a future letter I shall say more on this subject; as yet nothing has had time to ripen.

I must request your attention to the necessity of putting your correspondence with the public servants in Europe on a better footing. I am now at the expense of sending Colonel Livingston to the sea-side with my despatches, with orders to wait for American vessels, and deliver them to the captain with his own hands. I receive no letters by the post but with marks of inspection, and after much delay. Some that I write never come to hand, and I know of letters having arrived from America for me which I have never seen, and never expect to see. I know of but one man at the seaports whom I can confide in, viz: Mr. Harrison, at Cadiz. I cannot even find a courier that I can depend on. Is it not time for America, like other nations, to provide against these inconveniences by proper regulations and establishments? Would it not be well to have American agents or consuls in one or more of the ports of France and Spain? Public despatches might be sent by packet boats, or other vessels, to these agents, and should on no account be delivered to any other person; the agents might be ordered to send them to the Courts to which they may be directed by a trusty American—one of the officers of the ship, for example; and he should be ordered to wait for, and return with, the despatches of the Minister.

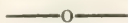
Would it not also be proper to provide for the safe conduct of letters to Congress after their arrival in America? I have reason not only to suspect, but to believe, that certain persons in America are attentive to these matters, and care should be taken to keep American letters out of their way.

This is an important subject and merits attention. For my own part I find several persons here who have more intelligence from

America than myself; and it is the more mortifying when considered that they are probably often indebted for their information to the contents of letters directed to me.

I have the honor to be, &c.,

JOHN JAY.



INSTRUCTIONS TO JOHN JAY.

In Congress, February 15th, 1781.

Sir,

Congress having, since their instructions to you of the 29th of September, 1779, and 4th of October, 1780, relative to the claim of the United States to the free navigation of the river Mississippi, and to a free port or ports below the thirty-first degree of north latitude, resumed the consideration of that subject; and being desirous to manifest to all the world, and particularly to his Catholic Majesty, the moderation of their views, the high value they place on the friendship of his Catholic Majesty, and their disposition to remove every reasonable obstacle to his accession to the alliance subsisting between his Most Christian Majesty and these United States, in order to unite the more closely in their measures and operations three Powers who have so great a unity of interests, and thereby to compel the common enemy to a speedy, just, and honorable peace, have resolved, and you are hereby instructed to recede from the instructions above referred to, so far as they insist on the free navigation of that part of the river Mississippi which lies below the thirty-first degree of north latitude, and on a free port or ports below the same; provided such cession shall be unalterably insisted upon by Spain; and provided the free navigation of the said river, above the said degree of north latitude, shall be acknowledged and guarantied by his Catholic Majesty to the citizens of the United States in common with his own subjects. It is the order of Congress, at the same time, that you exert every possible effort to obtain from his Catholic Majesty the use of the river aforesaid, with a free port or ports below the said thirty-first degree of north latitude, for the citizens of the United States, under such regulations and restrictions only as may be a necessary safeguard against illicit commerce.

I am, &c.,

SAMUEL HUNTINGTON, *President.*

TO JOHN JAY.

February 20th, 1781.

Sir,

The President sends you instructions passed in Congress the 15th.

Personally, I am mortified that no letters from you since September 16th have reached us. We have not waited for the minute information promised in yours of that date, nor have we received any notice of your receipt of our instructions of October 4th, before we discussed anew the old subject. There has been unfair dealing with your despatches. I apprehend that we are allowed to see only sentiments somewhat different from yours. Perhaps the enclosed memorandum may be some clue to your scrutiny.

On the 10th of January Congress resolved to establish an office for foreign affairs, which I hope will make your station more easy and reputable. I wish most earnestly to have a choice made of the Secretary, to whom I may deliver all the papers in my possession connected with his duty.

I am, sir, your friend and humble servant,

JAMES LOVELL,

For the Committee.

—o—

TO JOHN JAY.

March 9th, 1781.

Sir,

You will herewith receive gazettes and journals, also a resolve respecting the complete ratification of the articles binding the thirteen States as a confederated body. The delay of that business appears now like all the other circumstances of our rise and growth; for the present is really the best of all times for that particular event. Our enemies have been ripening themselves for this capital *mentitis*.

We have no letters from you or Mr. Carmichael later than those mentioned in my last, a copy of which attends this.

I am, sir, your friend and humble servant,

JAMES LOVELL.

—o—

TO THE PRESIDENT OF CONGRESS.

Madrid, March 22d, 1781.

Sir,

I ought, and wish to write your Excellency a long letter, but not

by the post. The French fleet is not yet sailed. It will, in my opinion, be late in the summer before the fleet at Rhode Island will be reinforced. This Court has promised me one hundred and fifty thousand dollars. Some clothing is now shipping on account of Congress from Cadiz.

Russia has offered her mediation to England and the States-General. The latter have accepted it. The answer of the former (if given) is not known here. If she should refuse, Russia will probably take part with the Dutch; if she accepts, she will doubtless be obliged either to agree to terms consistent with the armed neutrality, or continue the war. The consequences of either are obvious.

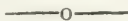
M. Necker has published a state of the French finances, much to his honor and their credit. Perhaps a complimentary order to translate and publish it would be useful.

Mr. Cumberland will set out on his return, through France, in a few days.

This letter is intended to go by Captain Trask, from Bilboa. I am told he will sail much sooner than had been given out, and that unless my letters go by this evening's post, they would arrive too late. Hence I am obliged to write in haste, and say little, there being no time for cyphers. I have received some letters from your Excellency. Their dates shall be mentioned another time.

I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

Madrid, April 25th, 1781

Sir,

I have had the honor of receiving your Excellency's letters of the 6th and 17th of October last, with the enclosures. They arrived the 30th day of January last. There is more than reason to suspect that the French Court were apprized of their contents before they arrived, and to believe that the construction of the treaty, by which the navigation of the Mississippi is supposed to be comprehended in the guarantee, does not correspond with their ideas on that subject. This Court continues pertinaciously to insist on our ceding that navigation, nor will they, as yet, listen to any middle line. Whether this be their real motive for declining a treaty with us at present, or

whether the bills drawn upon me have inspired an expectation of profiting by our necessities, or whether they flatter themselves with a future majority of Congress on that point, or whether they choose by continuing free from engagements with us, to be better enabled to improve to their advantage the casualties of the war, are questions which still remain undecided. Indeed, the movements of this Court in general, when compared with the great rules of national policy applicable to their situation, is so inexplicable, that I should not be surprised if it should appear in future that they had no fixed system whatever.

My last particular letter informed your Excellency, that having, in September last, been told that his Majesty could not advance us any money, but could be responsible for a loan to the amount of one hundred and fifty thousand dollars, I determined to continue accepting the bills, to attempt the loan, and, by a representation of my situation to the French Court, endeavor to save the necessity of protesting them for non-payment.

I tried to borrow here on the security of this responsibility, but without the least success. I attempted it in France, but it would not do. I made the like attempt in Holland, and a gleam of hope appearing there, I was about improving it, when a letter from America informed me that Mr. Adams was authorized to execute the business which had been committed to Mr. Laurens. I had heard before of his being in Holland, but did not know the object which had called him there. Several letters passed between Messrs. De Neufville and myself on the subject of this loan. The following is a copy of my last to them about it :

To de Neufville and Son.

“ Madrid, January 8th, 1781.

“ Gentlemen,

“ I have had the pleasure of receiving your favor of the 4th ultimo, together with the one referred to in it.

“ England has, it seems, declared war against the United Provinces, and that in a style of such eminent superiority as I am persuaded will remind your countrymen that the United Netherlands are not comprehended among the territories depending on the Crown of Great Britain.

“ The English Ministry, by charging the States with having

acted under French influence, intend to alarm their national pride, and, by making Holland the particular object of their resentment, to sow the seeds of dissensions among them, and render that most important Province obnoxious to the others. The tone of the whole declaration is that of a nation going rather to give correction to disobedient vassals, than to war upon a free and independent people. It could have been assumed only upon a persuasion that the same supposed timidity, to which they ascribe the long forbearance of the Dutch under multiplied insults and injuries, would, on this ostentatious display of terror, reduce them to the humiliating measure of imploring forgiveness for having acted like freemen, and purchasing peace at the expense of their honor and liberty. Every other nation must expect better things of you, and can never believe that the present generation will want firmness to assert the rights and vindicate the honor of a Republic, which owes its very existence to the glorious spirit and magnanimity of its ancestors.

“It gives me great satisfaction to hear that Mr. Adams has conversed with you on the subject of a loan, and I am persuaded that business will be much advanced by it. The impropriety of two loans at a time is evident. My chief motive in proposing one at the time I did was, that no time might be lost by the absence of Mr. Laurens, in prosecuting a measure which appeared to me highly useful to my country. I have no views or objects separate from her, and, provided she is effectually served, I am well content that the honor of doing it should devolve on others. As the management of our affairs in your country is committed to Mr. Adams, I request the favor of you to give him all the aid in your power. When that gentleman went to Holland, I was ignorant of the business which called him thither; and the first knowledge I had of it was from America, long after Mr. Laurens’s capture. It cannot now be necessary that my name should appear in the affair of the proposed loan, but should it be in my power to be useful, Mr. Adams may rely upon my zealous endeavors to promote that, and every other measure for the public good. Indeed, as matters now stand, delicacy forbids me to interfere further than as a mere auxiliary to Mr. Adams, to whom, and to whose affairs, I beg you to extend the influence of that generous regard for America which has placed you so high in the esteem of

“Gentlemen, &c.,

JOHN JAY.”

My last particular despatches contained a copy of my letter to Count de Vergennes requesting his aid. I received from Count de Montmorin an extract of a letter he had received from the Minister on that subject, in which he mentions the advances made to Dr. Franklin, and the improbability of his being able to assist me, but concluded with saying he would do his best. Shortly after, I received a letter from Count de Vergennes, which left me without hopes of succor from that quarter, except that Dr. Franklin promised to accept my drafts to the amount of twenty-five thousand dollars.

In December following, I had a long and interesting conference with Count de Florida Blanca, the particulars of which it is not necessary minutely to enumerate by this opportunity. He expressly promised me one hundred and fifty thousand dollars. As the bills afterwards became due, I applied for money to pay them, and received it to the amount of thirty-four thousand eight hundred and eighty dollars.

On the 15th of March I sent him a list of the bills payable in April, which amounted to eighty-nine thousand and eighty-three dollars.

On the 25th I was informed that the payment of this sum could not then be possibly made, but that the balance due on the one hundred and fifty thousand dollars promised should be paid in the course of six months.

I communicated this matter to the Ambassador of France, and I must do him the justice to say that his conduct on this occasion merits our thanks. All he could obtain from this Court was, that the amount of the April bills should be paid me in six equal monthly payments. This arrangement still leaving me unprovided with the means of satisfying the approaching demands, the Ambassador made personal application to a rich banker here, and on his personal credit and my consenting that the aforesaid six monthly payments should be applied to the repayment, obtained a loan for me of the whole sum wanted for April. I have passed my note for it, payable as soon as possible, with interest at the rate of six per cent. But this provision not extending beyond April, the fate of the bills payable in the succeeding months still remained dubious. That nothing in my power might be left undone, I sent on the 1st of April an express to Dr. Franklin representing to him my true situation, and the injuries our credit would sustain from the protest of a single bill

drawn by order of Congress. I desired him to communicate my letter to Colonel Laurens, to whom I also wrote on the subject. The express returned on the 19th instant with a letter from Dr. Franklin, by which I am authorised to draw upon him as occasion may require, to the amount of one hundred and forty-two thousand two hundred and twenty dollars towards paying the bills that become due between May and September.

My endeavors, however, to obtain further aids from Spain shall not be relaxed. They seem very desirous of having the ships-of-the-line still unfinished on the stocks at Boston and Portsmouth. I have written to your Excellency on this subject, and have as yet received no answer. When I consider that the state of our finances has so long prevented the completing those ships, and the difficulties heretofore experienced in providing for those in service; when I recollect that the finishing and fitting out those ships will bring money into our country, and probably prepare the way for Spain's building more vessels in it, and lastly, when I consider how much these ships seem to be an object, I am almost prevailed upon to engage positively that Spain shall have at least one of them at prime cost. To exercise the power not clearly within the limits of those confided to me, is a delicate and disagreeable business. This is the first time I ever found myself disposed to hazard it, and yet so many circumstances lead me to think that the public good would be promoted by the sale of these ships, that in case I should be again pressed on this subject, I believe I shall run the risk, from a persuasion that though such conduct ought not to be approved or encouraged by Congress, yet that when directed by the purest motives, and for the best purpose, it may obtain forgiveness.

Your Excellency will receive herewith enclosed a copy of the invoice of prize clothing taken by Admiral Cordova, and presented by the Courts of France and Spain to Congress. The Count de Montmorin was very much an American on this occasion also. Mr. Harrison, at Cadiz, has my orders to ship these goods in different vessels to America; part of them is now on the ocean, and the rest will soon follow. Your Excellency will receive a letter of advice with each parcel from Mr. Harrison, of whom I have a very good opinion. He charges no commission for doing this business, being contented with the satisfaction of serving his country.

I have often mentioned to Congress the necessity of more effectual

provision for our captivē seamen ; for want of money I cannot pay that attention to them which their misfortunes and usefulness demand. I am already greatly in arrears on their account, and Mr. Harrison, unless reimbursed, must soon stop his hand.

Portugal, though overawed by France and Spain, fears and perhaps loves England ; her conduct will be determined by future events. The Minister here has promised me to interpose the good offices of his Court with that of Lisbon in our behalf. In time something good may result from it. I have not received a line from Mr. Dohrman : I fear he is obliged to be very circumspect and cautious. The letters herewith enclosed from Dr. Franklin were left open for my perusal, the short stay of my courier not allowing time for copies to be made of the information conveyed in and with them. The intercepted letters will be found interesting. One of them ascertains the price paid Arnold.

I perceive that Dr. Franklin desires to retire. This circumstance calls upon me to assure Congress that I have reason to be perfectly satisfied with his conduct towards me, and that I have received from him all the aid and attention I could wish or expect. His character is very high here, and I really believe that the respectability which he enjoys throughout Europe has been of general use to our cause and country.

Your Excellency may rely on my cordially adopting and pursuing any measures that can conduce to the enlargement of Mr. Laurens, and I regret that no occasion has yet offered in which I could do any thing towards the attainment of that desirable object.

Mr. Cumberland is on the road home. I much suspect that he was sent and received from mutual views in the two Courts of deceiving each other. Which of them has been most successful is hard to determine. I believe in point of intelligence, England has had the advantage. As to the assurances of the Minister on this subject, they are all of little consequence, because on such occasions Courts only say what may be convenient ; and therefore may or may not merit confidence. Time and circumstances will cast more light on this subject.

Whatever we may get from this Court is clear gain. We have no demands upon it, and if we had, are not in a capacity to insist upon them. In my opinion, therefore, it is of the utmost importance to avoid appearances of discontent, and rather to impress other nations

with an opinion of the friendship of Spain for us, than otherwise. Indeed, I really believe the King means well towards us, and that the Prime Minister is also well disposed ; but whether as much can be said of the Minister's confidential and I believe influential Secretary, M. Del Campo, is by no means a clear point. It is proper that Congress should know that the gentleman intended to succeed M. Mirales was recommended by M. Del Campo, with whom he has long been on terms of intimacy and friendship.

I have nevertheless no room to doubt of this gentleman's attachment to our cause, though I am inclined to think his conduct will be conformable in a certain degree with the views of his patron. This ought to remain a secret. He is still here, although he expects daily to be despatched.

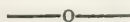
I represented the case of the Dover cutter to the Ministry here the 22d of June last. In December I obtained a promise that it should be appraised and the value paid to the captors, and two days ago I was again assured that measures were taking to bring this matter to a conclusion. *Festina Lentè* seems to be the first maxim in Spanish politics and operations. It is the fashion of the country and strangers must conform to it.

I congratulate Congress on the victory obtained by General Morgan, and the success of the French in the Chesapeake. The enclosed gazette contains much good news from the East Indies. These events will probably give Lord George Germain other ideas than those which appear in his intercepted letters.

M. Toscan, who goes to reside as Vice Consul of France at Boston, will carry this letter to America, and perhaps to Philadelphia. He was ready to set out when my courier returned from France. I was obliged to delay my letters till his arrival, and M. Toscan has been so obliging as to wait till I could complete them.

I have the honor to be, sir, &c.,

JOHN JAY.



THE PRESIDENT OF CONGRESS TO JOHN JAY.

In Congress, May 28th, 1781.

Sir,

Your letter of the 6th of November last, detailing your proceedings from the 26th of May down to that period, has been received

by the United States in Congress assembled. At the same time was received your letter of the 30th of November, with the several papers therein referred to.

It is with pleasure, sir, I obey the direction of Congress to inform you, that throughout the whole course of your negotiations and transactions, in which the utmost address and discernment were often necessary to reconcile the respect due to the dignity of the United States with the urgency of their wants, and the complaisance expected by the Spanish Court, your conduct is entirely approved by them. It is their instruction that you continue to acknowledge, on all suitable occasions, the grateful impression made on these States by the friendly disposition manifested toward them by his Catholic Majesty, and particularly by the proofs given of it in the measures which he has taken, and which it is hoped he will further take, for preserving their credit, and for aiding them with a supply of clothing for their army. You are also authorised and instructed to disavow, in the most positive and explicit terms, any secret understanding or negotiation between the United States and Great Britain; to assure his Catholic Majesty, that such insinuations have no other source than the invidious designs of the common enemy, and that as the United States have the highest confidence in the honor and good faith both of his Most Christian and of his Catholic Majesty, so it is their inviolable determination to take no step which shall depart in the smallest degree from their engagements with either.

Should the Court of Spain persist in the refusal intimated by its Minister to accede to the treaty between the United States and his Most Christian Majesty, or to make it the basis of its negotiation with you, the difficulty, it is conceived, may easily be avoided by omitting all express reference to that treaty, and at the same time conforming to the principles and tenor of it; and you are accordingly authorised so far to vary the plan of your original instructions. As his Most Christian Majesty however may justly expect, in a matter which so nearly concerns him, and which was brought into contemplation in the treaty he so magnanimously entered into with these States, the strongest marks of attention and confidence, you will not fail to maintain, in the several steps of your negotiation, a due communication with his Minister at the Court of Spain, and to include his interests as far as circumstances will warrant.

You are authorised to acquaint his Catholic Majesty that not only

entire liberty will be granted, during the war at least, to export naval stores for the royal marine, but that every facility will be afforded for that purpose.

As Congress have no control over the captains of private vessels, however proper your hints may be of obliging them to give a passage to American seamen returning home from foreign ports, and to send an officer with despatches entrusted to them for foreign Ministers. it is impracticable to carry them into execution; you will therefore continue to provide for these objects for the present in the best manner you can. As soon as the United States are in condition to establish consuls in the principal ports of the States with which they have intercourse, the difficulty will be removed; or if any other practicable remedy be suggested in the meantime, it will be applied.

The letter, of which you enclose a copy from Stephen d'Audibert Caille, styling himself consul for unrepresented nations at the Court of Morocco, had before been received through the hands of Dr. Franklin. If you shall have no objection to the contrary, you will correspond with him, and assure him in terms most respectful to the Emperor, that the United States in Congress assembled entertain a sincere disposition to cultivate the most perfect friendship with him, and that they will embrace a favorable occasion to announce their wishes in form.

The generous and critical services rendered these United States by Messrs. Neufville and Son, have recommended them to the esteem and confidence of Congress. You will signify as much to them, and that their services will not be forgotten, whenever a proper occasion offers of promoting their interests.

Your intimation with respect to complimenting his Catholic Majesty with a handsome, fast sailing packet-boat, claims attention; but the variety of public embarrassments will render the execution of it very uncertain.

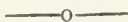
Congress agree to an extension of Colonel Livingston's furlough, till the further order of Congress, which you will make known to him.

Your letter of the 16th of September last was received on the 4th day of December. No bills have been drawn on you since. That of the 28th of January was received on the 27th day of

April; and in consequence of it the sale of the bills already drawn, but then remaining on hand, was countermanded.

By a letter from Mr. Carmichael, dated the 22d of February, and received on the 27th of April last, Congress are informed that you had received despatches from them dated in October. These must have contained their instructions to you to adhere to the claim of the United States to the navigation of the Mississippi. A reconsideration of that subject determined Congress, on the 15th day of February last, to recede from that instruction so far as it insisted on their claim to the navigation of that river below the thirty-first degree of north latitude, and to a free port or ports below the same. On the receipt of this latter instruction, Congress have little doubt that the great obstacle to your negociations will be removed, and that you will not only be able without further delay to conclude the proposed alliance with his Catholic Majesty, but that the liberality and friendly disposition manifested on the part of the United States by such a cession, will induce him to afford them some substantial and effectual aid in the article of money. The loss attending the negociation of bills of exchange has been severely felt. A supply of specie through the Havana would be much more convenient and acceptable.

SAMUEL HUNTINGTON, *President.*



TO THE PRESIDENT OF CONGRESS.

Aranjues, May 29th, 1781.

Sir,

My last to your Excellency was of the 25th ultimo, and was the more particular, as Mr. Toscan, who is appointed Vice Consul of France at Boston, was the bearer of it; he sailed from Bilboa.

On the 18th instant, I received from Mr. Lovell three letters written on one sheet, viz. 20th of February, 9th and 31st of March last. No other copies of these letters ever reached me. They arrived at Cadiz in the Virginia; but the papers and journals said to accompany them never came to my hands, nor have I received any letters from your Excellency since January last.

On the 23d instant I waited upon his Excellency the Count de

Florida Blanca, and informed him of the facts stated in the above memorial. He said he had not as yet heard any thing upon the subject; that there was such an ordinance, and that prudence demanded that the admission of letters from abroad, especially in time of war, should be under the direction of Government. That the situation of North America rendered new regulations necessary, that he would turn his thoughts to it, and do what should appear equitable. The next day I sent him Mr. Harrison's memorial, in a letter on the subject of it.

As this letter will go by the post, I must omit being minute about many matters which I wish to communicate to Congress. Cyphers would probably impede the progress of this letter, if not stop it.

The captors of the Dover cutter still remain unsatisfied. My first memorial on that subject was dated and presented the 22d of June last. In the winter I was promised that the prize should be appraised, and the value paid. At present I am assured that informations about it are taking.

M. Gardoqui, it is said, will set out in June. If a safe conveyance, which I am encouraged to expect in about a fortnight's time, should offer, I shall write your Excellency a long letter, and mention the dates of my former ones. If not, I shall take another method not proper to explain in this letter, which, notwithstanding its different covers, will, I doubt not, be inspected before it reaches Cadiz.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO JOHN JAY.

Philadelphia, June 4th, 1781.

Sir,

I enclose a resolve of Congress, of May 24th, respecting an interest of Messrs. Dumain and Lyon, with their petition annexed. I also add the copy of a resolve of September the 27th, 1780, and of a short letter of mine to a gentleman of Teneriffe, to serve as a memorandum in case you have not already procured justice for Mr. Magnall and his associates who took the Dover cutter. Mr. McCarrick of Santa Cruz is knowing to all the circumstances of that affair. Magnall has been unfortunate from the time he left

this place last October; he is now here. I do not know whether this is the matter referred to in the letter of Mr. Carmichael of December 24th, where he says, "The Minister also engaged to do justice to certain Americans, who carried a British privateer to the Canaries." I send you an extract from instructions given to Dr. Franklin concerning M. d'Audibert Caille, which may serve to govern your conduct towards that gentleman.

Your humble servant,

JAMES LOVELL.

—O—

TO JOHN JAY.

Philadelphia, June 15th, 1781.

Sir,

On the 4th I transmitted to you a resolve of May 24th, respecting an interest of Messrs. Dumain and Lyon, with their petition annexed. You will herewith receive other copies of those papers by opportunities, which the party concerned will industriously find. I recommend the business afresh to your attention, those worthy men having already met with vexatious delays on this side of the water.

With much esteem, I am, sir, your friend,

JAMES LOVELL.

—O—

ROBERT MORRIS TO JOHN JAY.

Philadelphia, July 4th, 1781.

Dear Sir,

The derangement of our money affairs, the enormity of our public expenditures, the confusion in all our departments, the langour of our general system, the complexity and consequent inefficacy of our operations, these are some among the many reasons which have induced Congress to the appointment of a Superintendent of Finance. I enclose you copies of their resolutions on that subject, with such other papers as will fully explain to you my appointment and powers.

The use of this office must be found in a progress towards the accomplishment of these two capital objects, the raising a revenue with the greatest convenience to the people, and the expenditure of it with the greatest economy to the public.

The various requisitions of Congress to the several States, none of them entirely complied with, create a considerable balance in favor of the United States, and the claiming this balance is delivered over to me as revenue; while on the other hand, the dangerous practice of taking articles for the public service and giving certificates to the people, has created a very general and a very heavy debt. The amount of this debt is swelled beyond all reasonable bounds, nor can the extent of it be at present estimated. These things need no explanation, but it may be proper to observe that, if the certificates were not in my way, there is still an infinite difference between the demand of a balance from the States and an effectual revenue. The latter can be obtained only in consequence of wise laws generally adopted, and as generally executed with vigor and decision. Were all that is necessary on these heads accomplished, something further would still remain to be done, in order that the produce of taxes should be subject to the sole and absolute disposition of the United States, or of their officers. To you who are acquainted with republican governments, it is unnecessary to observe on the delays which will arise, the obstacles which will be raised, and the time which will be consumed, in placing the revenue of America on a proper footing. Yet this is absolutely necessary before credit can be established, and the indispensable supplies obtained on terms of economy.

To reform our expenditure is an object of equal importance with the other, and it is in some degree within my power, as you will perceive it to have been subjected to my authority. But even here I find myself trammelled by the want of necessary funds. To contract, for instance, with any one, in order to obtain bread for our troops, requires the previous certainty of being able to make the stipulated payments. And so in every other case, I shall be unable to act with decision, unless I have the command of money. On the other hand, the people will bear with great reluctance the necessary imposition of heavy burthens, while they can perceive any want of arrangement, method, or economy, in the administration of their affairs.

If, for a moment, we suppose that this country, amid the confusions of a revolution, and the rage of war, could be governed with all the regularity, wisdom, and prudence, of ancient and peaceable nations, yet we must be convinced that no annual revenue she is able to raise could equal the annual expense in an offensive war against so

powerful a nation as that which we now contend with. A great balance, therefore, must remain, and it must be provided for by loans or subsidies.

To expect loans within the United States, presupposes an ability to lend, which does not exist in any considerable number of the inhabitants. The personal property, not immediately engaged, either in commerce or the improvement of lands, was never very considerable. Little as it was, it has been greatly diminished by the pernicious effects of a depreciating medium. This expedient, which was adopted in the beginning from necessity, and too pertinaciously adhered to in the sequel, has not only exhausted the funds of those who might have been willing to trust the United States, but it has so wounded our public credit, that even the will would be wanting if the ability existed, which, as I said before, it really does not.

While we have neither credit nor means at home, it is idle to expect much from individuals abroad. Our foreign credit must be nurtured with tenderness and attention before it can possess any great degree of force, and it must be fed by substantial revenue, before we can call it into active exertion, or derive beneficial effects from its application.

All reasonable expectation, therefore, is narrowed down to the friendly interposition of those Sovereigns who are associates in the war. From Holland, we can properly ask nothing; nor is she, I believe, in a capacity to grant it if we did ask. The active efforts of France require all the resources of that great nation, and of consequence the pecuniary aid which she affords us can but little advance the general cause, however it may relieve our immediate distress.

We must then turn our eyes to Spain, and we must ask either loans or subsidies to a very considerable amount. Small sums are not worth the acceptance. They have the air of obligation without affording relief. A small sum, therefore, is not an object to the United States, for they do not mean to beg gratuities, but to make rational requests.

As Congress have empowered you to remove the obstacles which have hitherto impeded your negotiations, you will doubtless proceed with prudent despatch in forming the important treaties which are to be the basis of our national connexion. Your own integrity, and the dispositions which you certainly feel as the true representative of your Sovereign to gratify the wishes of his Catholic Majesty, will

give you just claim to the confidence and friendly support of his Ministers. And on the other hand, his Majesty's known piety and justice will certainly induce him to facilitate a permanent union between the two countries, and to overturn that Power whose ambition is known, felt, and detested throughout the habitable globe.

Having a perfect confidence in the wisdom of his Majesty's Ministers, I must request that you will submit to their consideration the reasons which operate in favor of the advances we expect. In doing this, it will immediately strike you and them that the enemy carries on the operations against us at an expense infinitely greater than that by which they are opposed. By enabling us, therefore, to increase our resistance, and redouble our offensive efforts, the British will be reduced to the necessity of increasing their forces in America, or of submitting beneath a decided superiority. Either must be fatal to them. In the first instance, they will be crushed by the weight of expense; and in the second, they must, while they lose an actual force and part forever with the object in contest, feel the increased weight of the American arms, and make head against those resources, applied to a marine, which are now consumed in land operations.

Money ought, therefore, to be supplied to us from the Havana, which will at the same time save the risk of transporting it to Europe, while, as I have already observed, it must, when employed among us, absolutely ruin the common enemy. For when once they are driven from the United States, they must, at a considerable expense, defend, or at a great loss relinquish the rest of their American possessions; and in either case, the resources of this country will enable France and Spain to carry on operations for the subjection of the British Islands.

With respect to our finance, I am further to observe, that the resolutions of Congress of the 18th of March, 1780, have neither been so regularly adopted by the States as was hoped and expected, nor been productive of those consequences which were intended. It is unnecessary to travel into the causes, or to explain the reasons of this event. The fact is clear. The new money is depreciated, and there is the strong evidence of experience to convince us that the issuing of paper at present must be ineffectual. Taxation has not yet been pursued to that extent which was necessary. Neither is it reasonable to expect that it should. Time has been required

under all Governments to accustom the people by degrees to bear heavy burthens. The people of America have so patiently endured the various calamities of the war, that there is good reason to expect they will not shrink at this late hour from the imposition of just and equal taxes. But many arrangements are necessary to this purpose, and therefore an immediate pecuniary assistance is the more necessary to us. Our debts, under which I comprise as well those of the individual States as those of the Union, are but trifling when we consider the exertions which have been made. The debt I have already mentioned on certificates is heavy, not from real amount, but because it is beyond what the supplies obtained were reasonably worth, and because it impedes taxation and impairs its effects. But the amount of other debts is so small that a few years of peace would bring it within the bounds of a revenue very moderate when compared with the wealth of our country. You well know the rapid increase of that wealth, and how soon it would relieve us from the weight of debts which might be in the first instance very burthensome. There can, therefore, be no doubt that we shall be able to pay all those which it may be necessary to contract. But, as I have already observed, our great difficulty is the want of means in our people, and of credit in our Government.

It gives me, however, very great pleasure to inform you that the determined spirit of the country is by no means abated either by the continuance of the war, the ravages of our enemy, the expense of blood and treasure we have sustained, or the artifices, falsehoods, and delusions of an insidious foe. These last become daily more and more contemptible in America, and it appears equally astonishing that they should longer attempt them here, or boast the success of such attempts in Europe. Uniform experience has shown the futility of their efforts, and the falsehood of their assertions. I know they take the advantage of every little success to vaunt the prowess of their troops, and proclaim hopes of conquest which they do not feel. But those who know any thing of our history or situation, must have the utmost contempt for all these gasconades. It is impossible they should make impression upon any but weak minds, and I should hardly have thought of mentioning them, but I learn by letters from Spain, that men who are uninformed have been led into misapprehensions from circumstances which were here considered as trivial and even favorable.

I could hardly have supposed that our enemies had still the folly to repeat, as I am told they do, that there is an English party in America. Bribes and deceit have induced some wicked and weak men to join them; but when we consider the sums they have expended, and the falsehoods they have used, our wonder is not that they have got so many, but that they have gained so few. The independence of America is considered here as established; so much so, that even those of equivocal character accustom themselves to cherish the idea; for the doubt is not now whether an acknowledgment of it will take place, but when that acknowledgment will be made. Our exertions, also, in the present moment are not so much directed to establish our liberties as to prevent the ravages of the enemy, abridge the duration and calamities of the war, and faithfully contribute to the reduction of a Power whose ambition was equally dangerous and offensive to every other.

All reasonings on this subject must be deeply enforced, by paying attention to what has happened in the southern States. The progress of the enemy, while in appearance it menaced the conquest of that extensive region, tended only in effect to exhaust him by fruitless efforts, so that at length a handful of men have rescued the whole from his possession. The attack on Virginia (if the piratical incursions there can deserve that name) has been equally futile. The commanders may indeed have enriched themselves by plunder, and many worthy families have been distressed; but what is the consequence? Indignation and resentment have stimulated even the weak and indolent to action. The wavering are confirmed, and the firm are exasperated, so that every hour, and by every operation, they create enemies instead of gaining subjects.

Our armies, though not very numerous, are powerful. The regular troops are so much improved in discipline and the habits of a military life, that they are at least equal to any troops in the world. Our militia are becoming more and more warlike, so as to supply the wants of regular troops, when the enemy (taking advantage of that convenience which their ships afford them) transfer the scene of action from one place to another. The number of the British diminishes daily, and, of consequence, our superiority becomes daily more decisive. The greatest plenty of subsistence is to be had for our armies, and the prospects from the present harvest are beyond all former experience. I wish I could add, that clothing and mili-

tary stores were as abundant as those other requisites for war. This is not the case; our soldiers, indeed, are well armed, and in some degree they are clothed. We have also ammunition abundantly sufficient for the common operations of the field. But many of our militia are unarmed, and the sieges which will be necessary to expel the enemy must make a heavy deduction from our military stores.

The proposed siege of New York will soon be commenced, and would undoubtedly be successful, if we could maintain a decided superiority at sea. This must depend on contingencies, which are not in our power, nor perhaps in the power of any human being. I am not without hopes, even if we should not possess that superiority; but the expense will, from the want of it, be very considerably enhanced, and this is a circumstance which I cannot but deplore, for I repeat it again, the want of money can alone prevent us from making the greatest exertions. What our exertions have already been, our enemies themselves must acknowledge, and while, from insidious views, they assert that they could not make an impression on us with ninety thousand soldiers and seamen, we are certainly authorised to conclude, from this confession, that these States form a considerable balance in the scale against them.

I am now, therefore, again led to reiterate my request of a considerable sum of money from Spain; for I also again repeat, that small sums are not worth our acceptance, and I may add, they are unworthy the dignity of his Catholic Majesty. There can be no doubt, nor will the Spanish Ministry deny, that there is a considerable risk in transporting their money from the New World to the Old, besides, that when expended there, it necessarily runs through the different channels of commerce, to feed the wants and invigorate the forces of the enemy. There is, therefore, a double policy in expending a part of it here, where it can not only be brought with safety and despatch, but be employed to an immense advantage, when compared with its effects in Europe. If it be asked, what advantages Spain will derive in particular during the war, and what recompense can be made her after the peace? I answer, that the weakening more the common enemy by a given sum, is in itself a great advantage, and that to do this, by sparing the blood of Spanish subjects, is an advantage still greater. I add that, when relieved from the enemy, we may assist her in the reduction of the Floridas

and Bahamas, and, perhaps, of Jamaica. We shall then, also, be in a situation to secure Nova Scotia, thereby depriving Great Britain of her principal resource for ship timber, and enable us to furnish that essential article to the navy of Spain, on cheaper and better terms than it can be had elsewhere. On this last subject, I have further to observe, that there is hardly anything in which the maritime power of Spain is so much interested; for if we do not possess that country, it will be impracticable to furnish those supplies of masts and spars which both France and Spain may stand in need of; so that, of consequence, their positive and absolute strength at sea will be the less, while that of the enemy is positively and absolutely greater. The comparative inferiority, therefore, will be still more considerable. Nor is this all. A marine requires men, as well as ships. The fisheries and collieries are two pillars which support the marine of Britain, so far forth as seamen are required. But it is evident that the fisheries could not long continue in her hands, if she were deprived of Nova Scotia. Here, again, we are also to consider, that there is an immense difference between that patient resistance, whose opposition must at length weary the enemy into granting our independence, and those vigorous active operations, which may wrest from them their present possessions. Money is necessary for the latter, and I can say with confidence that money alone is necessary.

But to return. The advantages which will flow to Spain at a peace, from giving effectual aid to our finances now, will be, in the first place, the common compensation of repayment, should his Catholic Majesty prefer loans to subsidies. The having expelled the English from the Bay of Mexico, and having, by that means, prevented the contraband commerce so destructive to his revenue, will be another striking advantage, which cannot have escaped the penetration of his Ministers. But this is not all. The opening a port in East Florida, on the shores of the Atlantic, under proper regulations and restrictions, would enable us to carry on a commerce very advantageous to Spain, because we could furnish all such supplies of provisions, &c., as their possessions might stand in need of, and in return, take at port cocoa, logwood, Nicaragua wood, and, indeed, any other commodities which his Catholic Majesty should find it for the advantage of his dominions to permit the exportation of. Our commerce with Spain is also, in itself, a very considerable object. At this moment, we take from thence wine, oil, fruit, silk,

cloth, &c. And after the conclusion of the war, our remittances of wheat, corn, fish, and naval stores, will be of very great consequence to the commerce of that country. Another article of commerce will be the building of ships, which can be had on cheaper and better terms here than elsewhere; and there can be no doubt but that the construction of ships in this country is equal, if not superior, to that in any other. Even now, ships might be built on his Majesty's account, though by no means so cheaply as in times of peace; besides that, as there is now no seasoned timber in the country, such ships would not be durable, and therefore it might, perhaps, be imprudent to get any more than are immediately necessary.

To all the other advantages which would arise to his Catholic Majesty, I may add (although that is not so properly within my department) the security which his dominions would derive from our guarantee. This is an advantage which must be the more evident from a consideration of what might have happened had this country continued in union with Great Britain, and had Great Britain pursued those schemes of universal empire which the virtue and fortitude of America first checked, and which it is the object of the present war to frustrate. Our enemies do, I know, allege, that our weakness is unable to withstand them, and that our force is dangerous to Spain. The serious refutation of such absurd contradictions would involve an absurdity. It may not, however, be improper to observe, that the attention of this country for a century past has been, and for a century to come most probably will be, entirely turned to agriculture and commerce. We must always, therefore, be useful neighbors, and never dangerous except to those who may have views of dominion. Spain can never be in this predicament, though the British may and will. Their solicitude, therefore, to inspire apprehensions of us is, and ought to be, the strongest argument against entertaining them. But, if this evident reasoning did not exist, still the conduct of Congress, with regard to his Catholic Majesty, has been so just, and even generous, not only in being willing to secure his rights, but to gratify him by foregoing their own, that there is not room for the shadow of suspicion. This conduct, I should suppose, would alone have weight sufficient to procure what it is my object to request, if the other very cogent and conclusive reasons for it did not apply. And, after all, if it be considered how much greater is the interest of Spain in the vigorous

continuance of the present war, than that of any other of the associates, I cannot permit myself one moment to doubt of your success. I am the more sanguine from the character of the Catholic King and of his Ministers, for wisdom, candor, and integrity. These qualities will, I am sure, meet such corresponding dispositions in the United States, that the most thorough harmony and coalition must inevitably take place. 'This is an object of the greatest importance to both countries. Mutual benefits and the reciprocation of good offices will endear a connexion between them; and their interests require that this connexion should be of the closest kind.

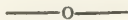
In every point of view, therefore, that we can consider the subject, the advance I have mentioned must appear alike beneficial. If the Governor of Cuba, or any other person, were duly authorised, stipulations might even now be entered into for furnishing all necessary supplies of provisions to the fleets and armies of his Catholic Majesty, which would certainly facilitate their operations. The advance of money also by Spain would enable the fleets and troops of France to subsist cheaper than at present, because it would tend to raise the exchange here, which is now too low.

Your own good sense will suggest to you many other most forcible arguments, as well as the proper time and manner of applying them. It is necessary to mention that the sum of five million dollars may, perhaps, be sufficient for our present emergencies; but if a greater sum can be obtained, we shall thereby become more extensively useful. Whatever the grant may be, it will be proper that it be sent hither in some Spanish ships of war from the Havana, or advanced to us there; in which latter case we will devise the means of bringing it away. Whether to ask for subsidies, or loans, as well as the terms on which either are to be obtained, these, sir, are objects which you are fully competent to determine upon. I have only to wish that your applications may meet with that success which I am confident you will not fail to merit. As the means of facilitating your views, I shall apply to the Minister of his Most Christian Majesty here, to write on the same subject to the French Ambassador at Madrid. The generous conduct of France gives just ground of reliance on her friendly assistance; and you are too well convinced of this not to act in the most perfect harmony with the servants of that Court, especially on an occasion so important as the present. I need not stimulate your activity by observing

how precious is every moment of time in those affairs on which the fate of empires depends; nor need I suggest the importance of a treaty, and particularly a subsidiary treaty, with Spain in that moment when the judgment of Europe is to be passed on the fate of America. For, however impracticable it may be to subdue us, it is undoubtedly of moment to hasten the approach of that period, when the acknowledgment of our independence shall give the blessings of peace to so many contending nations. To spare the present lavish effusion of blood and treasure, is a serious object with those who feel, as you do, the emotions of benevolence; and I am confident that the patriotism which has inspired your conduct, will prompt you to obtain a peace honorable for your country and advantageous to her friends. The only probable method to effect these things is a thorough union of forces and resources, to reduce the pride and power of that aspiring nation, whose ambition embroils the universe.

With all possible respect, I have the honor to be, &c.,

ROBERT MORRIS.



ROBERT MORRIS TO JOHN JAY.

Philadelphia, July 7th, 1781.

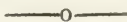
Dear Sir,

This will accompany my former letter of the 4th instant, which you will perceive to be so written, as that it may be shown, if necessary, to the Spanish Minister. You will make such use of it as prudence may dictate. I would gladly now give you details of our situation and plans for reforming it; but I have not yet sufficiently obtained the one nor matured the other. Whenever I am in capacity to apprise you fully of these things, you shall hear from me at large on the subject. At present I can only inform you that a sum of hard money will, from particular circumstances, afford us relief and turn to our advantage far beyond what might be supposed from the amount. Although I have stated the demand at five millions, yet I beg you will take as much as you can obtain, though it be far short of that sum. But at the same time, I repeat, that a very small one is not worth the acceptance. Knowing our wants to be great, you will judge properly as to what we can accept consistently with our dignity.

I enclose you a cypher, and with the duplicate of my letters I will send you another. Should both arrive safe, you will be so kind as to hand one to Mr. Carmichael, letting me know which you keep and write by.

I have the honor to be your Excellency's most obedient and humble servant,

ROBERT MORRIS.



ROBERT MORRIS TO JOHN JAY.

Office of Finance, July 9th, 1781.

Dear Sir,

Observing by your correspondence with Congress that you are put to a good deal of expense by American seamen arriving from captivity at Cadiz, where they also grow very troublesome, I offer the following proposal to your consideration. Authorise Mr. Harrison, or whoever may be your agent at Cadiz, to enter into contracts with such Americans as present themselves for the bounty of their country, to proceed from Cadiz, in such ship or vessel as he may provide for the purpose, for such port within the United States as he may appoint, at the monthly wages of six or eight Spanish dollars, to be paid as soon after their arrival in America as the cargo of the vessel shall be landed. After they sign such contract, he is to supply their wants sparingly, until he collects a sufficient number to man a suitable vessel, which he may procure either by charter or purchase, whichever may be in his power, and shall appear most eligible at the time. If he charter, it should be on such terms that the owners risk their vessel, putting in their own master, and, if they choose it, part of the seamen. The vessel to be loaded with salt for account and risk of the United States; freight so much per bushel or so much per ton to America and back. But in that case, let it be always a condition, that the vessel may be ordered from the first place she arrives, to any one other port in America; because it may happen that she will arrive where there cannot be got a cargo to load her back, or where the salt would be of no use.

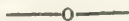
If your funds will admit of it, and vessels can be furnished cheap, this would be the more eligible mode of doing the business, because I could then either send the vessels back, or sell, as might suit best.

In case of purchase, they should be fast sailers, with good sails

and rigging, well found and fitted, and if armed, so much the better. Honest, active, industrious, and faithful masters must be provided for these vessels, and they must all come addressed to my order directed for this port, with liberty, however, to get into any safe port they can. The master to give me immediate notice of his arrival, when I shall give proper orders, or probably have them previously ready. An account of the moneys advanced to each person on board these vessels, as well as the cost and outfit of the ship and cost of the cargo, must be sent me by each vessel, in order that proper deductions may be made from the people, and proper credits be given for the costs. You will observe I am duly empowered by Congress to export and import for account and risk of the United States; and I think this plan so likely to benefit the public, that I very freely give my sanction to it, provided you can find the money. Your agent must give me regular advice of every expedition, and inform you also whenever he commences them. When a ship is provided and a master appointed, all the men should sign articles for the voyage in the common form.

I am, dear sir, &c.,

ROBERT MORRIS.



ROBERT MORRIS TO JOHN JAY.

Philadelphia, July 13th, 1781.

Dear Sir,

I enclose you in this packet the plan of a national bank, which I have been induced to adopt for the following reasons. The issuing of a large paper medium converted the coin of the country into a commodity, so that much of it was exported and the remainder concealed. The depreciation of our paper has so lessened our currency, that there is not a sufficiency for commerce and taxation, without creating by the latter such distress in the former, as must injure every order of men in the community. It is necessary, therefore, to fill up the deficiency in such proportion as it may be called, and with such medium as may preserve its value.

I have already in my letter of the 4th instant stated the want of ability in the people to lend, and of credit in the Government to borrow. An additional reason, therefore, for establishing a bank is, that the small sums advanced by the holders of bank stock may be

multiplied in the usual manner by means of their credit, so as to increase the resource, which Government can draw from it, and at the same time, by placing the collected mass of private credit between the lenders and borrowers, supply at once the want of ability in the one, and of credit in the other.

An additional reason for this institution is, to supply the place of all our other paper, which it is my design to absorb as soon as possible, and thereby to relieve the people from those doubts and anxieties which have weakened our efforts, relaxed our industry, and impaired our wealth. But this must not be done without the substitution of other paper, for reasons which I have already assigned, and because that our commerce would suffer for the want of that facility in money transactions, which paper alone can give.

Finally, one very strong motive, which has impelled my conduct on this occasion, is to unite the several States more closely together, in one general money connexion, and indissolubly to attach many powerful individuals to the cause of our country, by the strong principle of self-love, and the immediate sense of private interest. It may not be, perhaps, improper to show and explain this plan to the Spanish Ministry. They will then perceive how, by an advance of money, they may in this instance increase our resources and our efforts in a degree much superior to the immediate sum, and they may be assured, that on a variety of other occasions, similar benefits will result from it. I take this opportunity, however, to observe to you, that I do not mean this, or any other communication should be absolutely made. It is, on the contrary, my unalterable opinion, that a prudent Minister on the spot should be left to act with large discretionary power, being always furnished with such details as will enable him to judge with propriety, and act with decision.

It will undoubtedly strike your observation, that the sum of four hundred thousand dollars is very small, considering the object which it is my design to effect. I acknowledge that it is so, and when I tell you that I was very apprehensive that we should be unable to fill a larger subscription, and when I add, that it is far from certain we shall get all of this moderate sum, you will see still more clearly the force of those observations which I have already made. But it is weakness to be deterred by difficulties from a proper pursuit. I am, therefore, determined that the bank shall be well supported until

it can support itself, and then it will support us. I mean that the stock, instead of four hundred thousand dollars, shall be four hundred thousand pounds, and perhaps more. How soon it will rise to that amount, it is impossible to foresee. But this we may venture to assert, that if a considerable sum of specie can be speedily thrown into it, the period when its force and utility will be felt and known is not far off.

After I had determined to make the application to the Court of Madrid, which is contained in my letters, it was my next object to obtain for you such support as might materially favor your operations. For this purpose I have written to Dr. Franklin, and have told him that you would receive by this conveyance, and forward to him, copies of those resolutions and letters which may be necessary to explain my appointment and powers. I lay this task on your secretaries, because the want of clerks in my office, and the many things to be done, together with the short time allowed me by the departure of the vessel, prevent me from having duplicates made out. I have written to the Doctor to apply to the Court of Versailles to further your negotiations with their influence. I am confident his application will not be unsuccessful; but how you may derive most benefit from the coöperation of the French Court you best can tell. Major Franks, therefore, is instructed to take your orders for Passy, and return thence to Philadelphia; so that you will have an opportunity of communicating fully with the Doctor on any subject you think proper. You may write to me by any opportunity if this should arrive safe, because our cypher will prevent you from being exposed to interested or impertinent curiosity.

To obtain for you still further assistance, I have applied (in the absence of M. de la Luzerne, who is gone to camp) to M. de Marbois for letters to their Ambassador at the Court of Madrid. I have stated my views, my hopes, and wishes, with that candor which is proper on such occasions, and which I wish to preserve on all occasions. M. de Marbois has, in consequence, written a letter on the subject, in which he informs the Ambassador of our conversation, states the disorders of our finances, and makes polite mention of my operations, my designs, and abilities, as well as the confidence reposed in me by Congress, and by the people at large. He details the proposed plans, and particularly that of the bank, and shows forcibly the advantages which would result from a considerable

advance of money by Spain. He assigns, also, very proper reasons to show why it ought to be considerable, if it be made at all. The great interest of France in this business, as well as the open and candid manner which has marked all transactions I have hitherto had with the Minister of that nation, induces me to believe that this letter is more than a compliment, and that as it is intended, so it will operate to produce the desired effect.

That nothing in my power might be wanting to the success of a business which you must be convinced I have very much at heart, I have also applied to Don Francisco Rendon, who at present acts here for Spain; and I have every reason to believe that he will write to the Spanish Court such a letter as I wish. But after all, much, my dear sir, must depend on your prudence, your activity, and your intentions to incline, to stimulate, to lead the Ministry into our views, to remove the obstacles, surmount the difficulties, and crush the procrastinations which retard the completion of an object so essential to your country. I am happy to add that I have the utmost confidence in your abilities, your industry, and integrity.

There is a possibility that money may be obtained from Portugal, and though I confess there is not a very solid ground to build on, and though it must be owned that appearances are against us, yet I think it best not too much to trust to appearances, either favorable or unfavorable, and to leave nothing unattempted which may be useful. It was for reasons of this sort that my letter of the 9th instant, which I enclose you a copy of, was written to Congress. In consequence of it, on the 11th they passed a resolution, of which I also enclose you a copy, and have only to add that you will act entirely according to your own discretion on this occasion. I cannot pretend to know the situation of the Court of Lisbon, and therefore I will not attempt to measure out a line of conduct to be pursued there. You are, for every reason, more competent to this business than I am, and therefore I submit it to your management entirely.

You will observe that a material part of my letter of the 9th remains unnoticed by Congress. The committee had not yesterday reported upon it. Should any thing be done previous to the departure of this vessel, you shall know it. But you are so well acquainted with the delays incident to public assemblies, that you will not be surprised if you hear nothing further on the subject.

It is unnecessary for me to make any other mention of Major

Franks, except to inform you that, after a critical examination into his conduct by a court of inquiry, he was honorably acquitted of all improper connexion with his late General.* For the rest, you are perfectly acquainted with him, and will therefore take that notice of him which he deserves.

I am, dear sir, your most obedient and humble servant,

ROBERT MORRIS.

Plan of a Bank referred to in the preceding letter.

1. That a subscription be opened for four hundred thousand dollars, in shares of four hundred dollars each, to be paid in gold or silver.

2. That the subscription be paid into the hands of George Clymer and John Nixon, or their agents.

3. That any subscriber of less than five shares pay the whole sum on the day of his subscription.

4. That every subscriber of five shares or upwards pay one half the sum on the day of his subscription, and the other half within three months of that day.

5. That every holder of a share shall be entitled to vote by himself, his agent, or proxy, properly appointed, at all elections for directors, and that he have as many votes as he holds shares. And that every subscriber may sell and transfer his share or shares at his pleasure, the transfer being made in the bank book, in presence and with the approbation of the proprietor, or his lawful attorney, the purchaser then to become entitled to the right of voting, &c.

6. That there be twelve directors chosen from among those entitled to vote, who at this first meeting shall choose one as President.

7. That there be a meeting of the directors quarterly, for the purpose of regulating the affairs of the bank; any seven of the directors to make a board, and that the board have power to adjourn from time to time.

* Major Franks was aid to General Arnold at the time his treachery was discovered, but he was honorably acquitted from all suspicion of having any knowledge of Arnold's designs.

8. That the board of directors determine the manner of doing business, and the rules and forms to be pursued, appoint the various officers which they may find necessary, and dispose of the money and credit of the bank for the interest and benefit of the proprietors, and make from time to time such dividends out of the profits as they may think proper.

9. That the board be empowered from time to time to open new subscriptions, for the purpose of increasing the capital of the bank, on such terms and conditions as they shall think proper.

10. That the board shall, at every quarterly meeting, choose two directors to inspect and control the business of the bank for the ensuing three months.

11. That the inspectors so chosen shall, on the evening of every day, Sundays excepted, deliver to the superintendent of the finances of America a state of the cash account and of the notes issued and received.

12. That the bank notes, payable on demand, shall by law be made receivable in the duties and taxes of every State in the Union, and from the respective States, by the Treasury of the United States, as specie.

13. That the superintendent of the finances of America shall have a right at all times to examine into the affairs of the bank, and for that purpose shall have access to all the books and papers.

14. That any director or officer of the bank who shall convert any of the property, moneys, or credits thereof to his own use, or shall any other way be guilty of fraud or embezzlement, shall forfeit all his share or stock to the company.

15. That laws shall be passed making it felony, without benefit of clergy, to commit such fraud or embezzlement.

16. That the subscribers shall be incorporated, under the name of the President, Directors, and Company of the Bank of North America.

17. That none of the directors shall be entitled to any pecuniary advantage for his attendance on the duties of his office of director, or as president, or inspector, unless an alteration in this respect shall hereafter be made by the consent of a majority of the stockholders at a general election.

18. That as soon as the subscription shall be filled, Mr. George Clymer and Mr. John Nixon shall publish a list of the names and sums respectively subscribed, with the places of abode of the

subscribers, and appoint a day for the choice of directors, to whom, when chosen, they shall deliver over the money by them received.

Observations on the above Plan.

ARTICLE 1st. The objects and use of a bank are too obvious to need illustration. But it may not be amiss to take notice that the first moment of its getting into action, the credit arising from its funds can be made use of by the Government of the United States in anticipation of taxes, in consequence of special agreements to be made between their superintendent of finance and the directors for that purpose; and as the capital and credit of the bank increase, so may this mode of anticipation be increased to answer all the purposes of Government. It is, however, evident at the first view, that four hundred thousand dollars are not sufficient for those purposes, nor those of private commerce, because no considerable circulation of paper can be founded on so narrow a basis; yet it is dangerous to attempt more. It is not possible to determine what is the highest sum that could speedily be obtained by subscription. To ask more than could be obtained would have a fatal effect; to ask less is a partial evil. It is, however, an evil which admits of a remedy, as is provided in the plan.

ARTICLE 2d. Before the corporation is formed, and much more so before the subscription is opened, by which the company is to be determined, no authority can be bestowed under the corporation. At the same time it must be remembered that, in circumstances like ours, the loss of time involves in it the loss of many advantages. It becomes necessary, therefore, to appoint individuals to manage the subscription and receive the money. Mr. Clymer and Mr. Nixon having been formerly directors of the Bank of Pennsylvania, and being thereby generally known in that line, their names naturally present themselves for this purpose.

ARTICLES 3d and 4th. The difference as to payments of large and small is so common an incitement to subscribers on such occasions as to speak for itself.

ARTICLE 5th. The subscribers, it is expected, will consist of citizens of every State in the Union, and possibly foreigners may subscribe or purchase bank stock; therefore the necessity and propriety of enabling them to vote by proxy; and this being a moneyed institution, it is just that every share be entitled to a vote.

ARTICLE 6th. As the stockholders will mostly be absent from the place where the bank is kept, the number of twelve seems quite sufficient for the direction, as they will generally be chosen from the residents, and there ought to be room left for rotation among these.

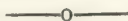
ARTICLES 7th and 8th. This plan, if adopted, will be considered as the constitution of the bank, and therefore necessary to establish in it the powers of government by by-laws, rules, and regulations, and making dividends out of the profits; it is meant that they should annually pay a dividend of five or six per cent. to the proprietors of the stock, and then settling the accounts of the bank, declare publicly, if necessary to give credit and confidence, what capital remains after such dividend. It will be observed that such dividends are confined to be made out of the profits; consequently the capitals can never be touched.

ARTICLE 9th. When the directors, by paying a dividend out of the profits, establish the credit of the bank firmly in the minds of the stockholders, and by declaring the capital stock at the same time to be increased, give it equal confidence in the general opinion, there is little doubt but they may open new subscriptions for increasing the capital with certainty of success.

ARTICLES 10th, 11th, and 12th. As credit is the soul of all operations of this kind, every precaution should be taken to support it. In the course of things, much of the private property of America may be dependent on the conduct of affairs at the bank. Care, therefore, should be taken to prevent fraud and mismanagement. If the transactions were opened to public inspection, it would be impossible to do the business amidst the continued interruption; besides that, in this way the national enemies would be apprized of our resources and operations. It is necessary, therefore, by instituting a check to guard against the ill consequences which lie in the way, as the public will have much connexion with the bank, and at times deposit considerable sums of money in it, and always be availing themselves of its credit. The check should be in the hands of that officer who is appointed to manage the moneyed interests of America.

ARTICLES 13th and 14th. The penalties on fraud and embezzlement are derived from the same source, and are supported by the same reasoning.

ARTICLES 15th and 16th. The necessity of incorporating the bank is obvious, and the propriety of rendering the office of a director honorable, rather than lucrative, arises from this circumstance, over and above the difference between motives of fame and interest, that at present, any adequate salaries would absorb the profits, and in future the care of their own interests as stockholders will be an additional inducement to the first characters to accept the direction, for it is not doubted but every subscriber will increase his capital in the bank, so soon as he finds not only the national advantages it will produce, but sees clearly his private interest advanced beyond his most sanguine expectations.



ROBERT MORRIS TO JOHN JAY.

Office of Finance, August 15th, 1781.

Sir,

Enclosed you have a list of sundry bills of exchange drawn on you. I wrote you relatively to these bills on the 29th day of July last, with sundry enclosures explanatory of my letter. I am now to inform you that the advices contained in that letter must, from particular circumstances, be totally disregarded. Should any of the bills mentioned in the enclosed list come to your hands, you will be pleased to protest them, and assign, if you please, as a reason therefor, that you have express instructions to that purport. The uncertainty whether you have received my cypher prevents my using it on this occasion. The importance of the subject obliges me to write, and as I send many copies, the risk of capture and inspection is too great to be more particular.

The gazettes will furnish you with our latest intelligence. That of New York announces the arrival of near three thousand Hessian troops, and the capture of the Trumbull frigate. Neither of these is a very agreeable circumstance. However, we must wait the course of events, and struggle, as well as we can, against adverse fortune. Our affairs to the southward wear no unpleasing aspect. And, although it is impossible, at this distance, to determine what effect European movements may have on American politics, our government acquires daily a firmness and stability which will not easily be shaken.

I have the honor to be, &c.,

ROBERT MORRIS.

JAMES LOVELL TO JOHN JAY.

Philadelphia, August 15th, 1781.

Sir,

Herewith you will receive, according to the resolution of Congress of the 10th, such information relative to the surrender of Pensacola, and the subsequent arrival of the garrison at New York, as I have been able to obtain, which you will make use of according to your discretion, and the spirit of the enclosed resolution.

I am, sir, your friend and very humble servant,

JAMES LOVELL.

P. S. *August 16th.*—It appears to me not amiss to enclose to you a report of a committee on the 10th, as it stands negatived on the Journals of Congress.

J. L.

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TO THE PRESIDENT OF CONGRESS.

St. Ildefonso, September 20th, 1781.

Sir,

Your Excellency's favor of the 5th of July last, with the papers therewith enclosed, were delivered to me on the 29th ultimo, by Major Franks, whom the procrastination of the Minister still obliges me to detain.

The new commissions with which Congress have honored me, argue a degree of confidence which demands my warmest acknowledgments, and which, so far as it may be founded on an opinion of my zeal and integrity, they may be assured will not prove misplaced.

At the commencement of the present troubles, I determined to devote myself, during the continuance of them, to the service of my country, in any station in which she might think it proper to place me. This resolution, for the first time, now embarrasses me. I know it to be my duty, as a public servant, to be guided by my own judgment only in matters referred to my discretion, and in other cases faithfully to execute my instructions, without questioning the policy of them. But there is one, among those which accompanies these commissions, which occasions sensations I never before experienced, and induced me to wish that my name had been omitted.

So far as personal pride and reluctance to humiliation may render

their appointment contra-agreeable, I view it as a very unimportant circumstance, and should Congress, on any occasion, think it for the public good to place me in a station inferior and subordinate to the one I now hold, they will find me ready to descend from the one, and cheerfully undertake the duties of the other. My ambition will always be more gratified in being useful than conspicuous; for, in my opinion, the solid dignity of a man depends less on the height or extent of the sphere allotted to him, than on the manner in which he may fulfil the duties of it.

But, sir, as an American, I feel an interest in the dignity of my country, which renders it difficult for me to reconcile myself to the idea of the sovereign independent States of America submitting, in the persons of their Ministers, to be absolutely governed by the advice and opinions of the servants of another Sovereign, especially in a case of such national importance.

That gratitude and confidence are due to our allies, is not to be questioned, and that it will, probably, be in the power of France almost to dictate the terms of peace for us, is but too true. That such an extraordinary extent of confidence may stimulate our allies to the highest efforts of generous friendship in our favor is not to be denied, and that this instruction receives some appearance of policy from this consideration may be admitted.

I must, nevertheless, take the liberty of observing, that, however our situation may in the opinion of Congress render it necessary to relax their demands on every side, and even to direct their Commissioners ultimately to concur (if nothing better could be done) in any peace or truce not subversive of our independence which France determined to accede to, yet that this instruction, besides breathing a degree of complacency not quite republican, puts it out of the power of your Ministers to improve those chances and opportunities, which in the course of human affairs happens more or less frequently to all men. Nor is it clear that America, thus casting herself into the arms of the King of France, will advance either her interest or reputation with that or other nations.

What the sentiments of my colleagues on this occasion may be, I do not as yet know, nor can I foresee how far the negociation of the ensuing winter may call for the execution of this commission. Thus circumstanced, at such a distance from America, it would not be proper to decline this appointment. I will, therefore, do my best

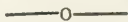
endeavors to fulfil the expectations of Congress on this subject, but, as for my own part, I think it improbable that serious negotiations for peace will soon take place. I must entreat Congress to take an early opportunity of relieving me from a station wherein, in character of their Minister, I must necessarily receive (and almost under the name of opinions) the directions of those on whom I really think no American Minister ought to be dependent, and to whom, in love for our country and zeal for her service, I am sure that my colleagues and myself are at least equal.

I have the honor to be, &c.,

JOHN JAY.

P. S. I had an interview last evening with the Minister. Nothing was promised or denied. A person is to be named on Sunday to confer in earnest, as it is said, with me about the treaties. I do not despair, though having so many bills to pay, and no money, perplexes me extremely. The treasury of Spain is very low; much of the money for the expenses in this war costs them between thirty and forty per hundred, by mismanagement and want of credit. This ought not to be public. His Excellency still looks at your ships on the stocks, but I shall, without refusing, not consent to their changing masters.

J. J.



TO THE PRESIDENT OF CONGRESS.

St. Ildefonso, October 3d, 1781.

Sir,

My letter of the 25th of April last, by Mr. Toscan, informed Congress that on the 30th day of January preceding, I had the honor of receiving their letters of the 6th and 17th of October, 1780, the latter of which states particularly and ably the right of the United States to the free navigation of the river Mississippi, and enumerates the various reasons which induce them to decline relinquishing it.*

Among these reasons is the guarantee contained in the treaty with France. I hinted to Congress, that it was more than probable that the contents of this interesting letter were well known to the French

* See these letters at large in the *Secret Journal of Congress*, Vol. II., pp. 323, 326. The latter was drawn up by Mr. Madison.

Court before it came to my hands. I am well persuaded that this was the case. Shortly after receiving it, I took occasion to converse generally with the Ambassador on the subject of the Spanish pretensions to that navigation, and remarked, as it were inadvertently, how unreasonable it was for them to expect that we should relinquish a territorial right, which both justice and the guarantee of France enabled us to retain. The thought did not appear new to him, but he strongly combatted this construction of the treaty, and endeavored to explain it away by observing that the guarantee could not comprehend claims, whose objects we had never possessed, &c., &c. I mention this only to show how improper it would have been for me to have communicated this part of your Excellency's letter to the Spanish Minister. It could have answered no good purpose, because, as France would have disputed this construction, Spain could with propriety have refused to admit the force of any argument drawn from it, and it might have done much mischief, not only by bringing on an unseasonable explanation between France and us, but also between Spain and France.

If I had given the Spanish Minister a copy of every other part of this letter, except those paragraphs which contain the reasoning in question, the omission might in future have been urged by France, who I verily believe has a copy of that whole letter, as an argument for my having yielded that point as not tenable; and though my opinion might not be of much consequence, it appeared to me most prudent to avoid doubts about it. For my own part I really did, and do think, that this guarantee does comprehend the navigation in question, though I also think that no question should be raised about it at present. So circumstanced, I thought it most advisable to make no written communications of any parts or part of this letter, but from time to time to press every argument contained in it in the course of conversations with the Spanish Minister, except those drawn from the guarantee.

The Minister, however, did not at any time enter into the merits of these arguments, nor appear in the least affected by them. His answer to them all was, that the King of Spain must have the Gulf of Mexico to himself, that the maxims of policy adopted in the management of their colonies required it; and that he had hoped the friendly disposition shown by this Court towards us would have induced a compliance on the part of Congress.

As to a free port below the northern limits of West Florida, or any where else in the vicinity, the Minister sometimes wished certain regulations, some middle line might be devised to reconcile the views of both parties, but he did not see how it could be done. The King had always been accustomed to consider the exclusive navigation of the Gulf of Mexico as a very important object to Spain, more so indeed than even Gibraltar, and he was persuaded that his Majesty would never be prevailed upon to change his ideas on that subject. At other times he spoke clearly, and decidedly against it, saying that it was their desire to exclude all nations from the Gulf, and that it made little or no difference whether they admitted all nations or only one.

In my letter of the 25th of April last, I informed your Excellency, that on the 25th of March preceding, the Minister sent me word that the money necessary to pay the bills due in April could not be advanced to me. The constant inconsistency I experienced between the Minister's promises and conduct often surprised, as well as embarrassed me. This last instance appeared to me to be really cruel; for if he had intended to withhold the necessary supplies, he ought to have given me notice of it, and not by keeping up my expectations to within a few days before the holders of the bills were to call upon me for their money, (and the bills of April amounted to eighty-nine thousand and eighty-three dollars,) reduce me to such imminent danger of being obliged to protest them. Speaking on this subject with the French Ambassador, he intimated that the Court expected I should have made them some further overtures respecting the Mississippi. I told him I had no authority to make any others than what I had already made. He replied that the Minister believed I had. At that time I had received no letters, public or private, which gave me the least reason to suspect that Congress had passed the resolution of the 15th of February last,* and it was not before the 18th of May that a letter I then received from Mr. Lovell enabled me to understand the reason of the Minister's belief. I then recalled to mind his frequent assurances of frankness, and of his speaking without reserve, often adding that he was well informed of our affairs, and had minute information of what was passing at Philadelphia. There can be no doubt but that some

* Secret Journal of Congress. Vol II., p. 393.

copies of the President's letters to me have fallen into his hands, and that he supposed I had received others, though this was not in fact the case. Hence, it appears that the double miscarriage, if I may so call it, of these letters had an unfavorable influence on our hopes of pecuniary aids; for it is highly probable that, in this instance, they were so critically withheld on purpose to extort overtures from me, which the Minister, though mistaken, had reason to believe I was in a capacity to make.

Your Excellency will perceive from this how important it is that your letters, to and from your Ministers, be transmitted in a manner not subject to these inconveniences.

It was not, as I said before, until the 18th of May that Mr. Lovell's letter, enclosing a copy of the resolution of Congress of the 15th of February, reached me. It was brought to Cadiz by the Virginia, and it is remarkable that none of the journals or gazettes, nor the letter from Congress which Mr. Lovell gave me reason to expect, ever came to my hands. But as all the papers brought by the Virginia passed through the hands of the Governor of Cadiz, and afterwards through the Post Office, the suppression of some of them may be easily accounted for.

As Mr. Lovell's letter did not appear to be official, nor the copy of the instruction of the 15th of February authenticated, I was much at a loss to determine how far it was to be considered as a measure finally concluded upon; and this difficulty was increased by another, viz., whether my having no letter on the subject from the President was to be imputed to the miscarriage of it, or to a reconsideration of the instruction in question; for I recollected that resolutions had in some former instances been reconsidered, and either altered or repealed a few days after their date; for these reasons it appeared to me imprudent immediately to hazard overtures on the ground of this instruction.

The next day, the 19th of May, I thought it expedient to wait upon the Minister, and again renew the subject of our proposed treaty, expecting that if he was acquainted with the contents of my letter, something might drop from him in the course of conversation, which would lead me to judge of what he might, or might not know on that subject, and others connected with it.

He received me with more than usual cordiality. The conversation turned at first on the situation of the southern States, the late

combat between the fleets in the Chesapeake, and General Greene's retreat. He appeared to apprehend much danger from what he called the delicate situation of our army there, and the blockade of the reinforcement intended for it, under the Marquis de la Fayette. I endeavored to remove such of his fears as appeared to be ill-founded, and (though without leaving room to suppose that the operations of Spain were indispensable to our safety) represented to him the good policy and probable success of France and Spain's seriously turning their attention and force to the expulsion of the enemy from America. I then repeated what I had often before remarked to him, respecting the influence which the hesitations and delays of Spain in forming a treaty with us, must naturally have on the hopes and fears of Britain. I announced to him formally the completion of our Confederation by the accession of Maryland, and after dwelling on the advantages which the States and their allies might expect from it, I endeavored to impress him with an opinion that a cordial union between France, Spain, Holland, and America, supported by vigorous measures, would soon reduce the enemy to the necessity of listening to reasonable terms of peace.

The Count replied, generally, that he was very minutely informed of the state of our affairs. That the good dispositions of Congress towards Spain had not as yet been evinced in a manner the King expected, and that no one advantage had hitherto been proposed by America to Spain, to induce the latter to come into the measures we desired. That the views of Congress were such as would not permit his Majesty to form a treaty with the States; but that the King was an honest man, and I might again and again assure Congress that he would never suffer them to be sacrificed to Britain, but on the contrary would with constancy maintain the friendship he had professed for them. That Britain had in vain attempted to deceive Spain; that Mr. Cumberland had been sent here for that express purpose; but that however possible it might be for Britain to vanquish, she would never be able to deceive Spain; that he wished Congress had been more disposed to oblige the King. He knew indeed that opposition in sentiments must necessarily prevail in public bodies, but that he hoped for the best. That I ought to preach to them forcibly, for that he thought a good preacher (*un bon prédicateur*) would do much good; thereby intimating, as I

understood it, that Congress were not sufficiently apprized of the importance of Spain, and the policy of complying with her demands.

To all this, I briefly remarked that his Excellency's knowledge of American affairs must convince him that it was not in their power to give his Majesty other proofs of their attachment than what they had already done, and that if he alluded to the affair of the Mississippi, I could only add one remark to those which I had often made to him on that head, viz., that even if a desire of gratifying his Majesty should ever incline Congress to yield to him a point so essential to their interest, yet it still remained a question whether new delays and obstacles to a treaty would not arise to postpone it.

The Count smiled, said he always spoke frankly, and that whenever I should announce to him my having authority to yield that point, I might depend on his being explicit and candid, but as matters stood at present, he could say nothing on that head. He then informed me, that M. Gardoqui would set out for America the beginning of June. He said it might be in my power to furnish some useful hints and observations relative to the objects and conduct of his mission, adding that he reposed full confidence in me, and wished that I would also consider whether there were any particular reasons which might render it advisable either to hasten or retard his going.

I suspected there was too much meaning in all this to admit of my entering into these discussions without time for further reflection; and, therefore, without seeming to avoid it, I told the Count I was happy to hear that M. Gardoqui was so near his departure. That I considered myself much honored by his requesting my remarks relative to it, and that I was sure Congress would draw agreeable conclusions from his mission. That I should write by him to Congress, and as they would expect to learn from me the precise character in which they were to receive and consider him, it became necessary that his Excellency should favor me with that information as well to enable me to transmit the proper advices to Congress, as to make the remarks which he had done me the honor to request. That I conceived this to be the more indispensable, because if M. Gardoqui should carry no public testimonials from this Court to Congress, he could only be considered by them as a private gentle-

man, and all his intercourse with Congress would of consequence be subjected to all the inconveniences resulting from it.

This topic carried the conversation off the delicate ground to which the Count had led it. He admitted the propriety of my being exactly apprized of the nature of M. Gardoqui's commission, said that as yet it was not decided, and therefore for the present could only give me his opinion of what it would probably be.

He observed, that circumstances did not render it proper that he should go as Minister, though perhaps it might be proper to give him contingent powers. That it was the common practice, where Courts sent to each other persons charged with their affairs, in a character below that of Minister, to give no other credentials than a letter of advice from the Minister of the Court sending to the Minister of the Court receiving the person in question. That the same practice was about to be pursued by Spain towards Prussia, and had been observed in other instances; therefore, he believed the like method would be adopted in this case. That if it should be purposed to give M. Gardoqui a letter authenticating his being an agent of Spain, it would be either to the President, or the Secretary of Congress, and asked me which of the two would be the most proper.

Whether he really was uninformed on this point, or whether he asked the question merely to try my candor, cannot easily be determined. I told him honestly, that Congress had no Secretary or Minister of State for general purposes, nor for foreign affairs particularly, and that neither the President nor Secretary of Congress could regularly be considered in that light. That there was a committee of Congress, whose appointment came near to that of Secretary for foreign affairs, but that I had heard Congress were about establishing a more proper and regular mode of conducting the affairs committed to that committee, and had perhaps already done it. That therefore it was difficult for me to give his Excellency a clear and decided opinion on the subject, and the more so as the letters which I daily expected to receive from the President, and which probably contained exact information relative to this very matter, had not yet come to my hands. He seemed very well satisfied, and extended his civilities so far as to say, that if at any time the warmth of his temper had led him into any harshness of expression, he hoped I would forget it. I told him, and that was the fact, that I did not

recollect any part of his behavior to me which required that apology. He desired me to wait upon him again on the Wednesday next.

As to the instructions of the 15th of February, I had every reason to wish that it had been a secret to the Ministry. The propriety of them is a subject without my province. To give decided opinions of the views and designs of Courts always appeared to me hazardous, especially as they often change, and as different men will often draw different conclusions from the same facts. This consideration has constantly induced me to state facts accurately and minutely to Congress, and leave them to judge for themselves, and be influenced only by their own opinions.

I could not forbear, however, seeing the danger to which the proviso contained in that instruction exposed me. I have no reason to flatter myself, that, more fortunate than others, the propriety and policy of my conduct will not be drawn, at least impliedly, into doubt. If I should, on a persuasion that this cession would be unalterably insisted upon by Spain, yield that point, I am certain that many little half-created doubts and questions would be cast into, and cultivated in America. If, on the other hand, I should be of opinion that this point could be gained, and the event prove otherwise, it would soon be whispered, what rich supplies and golden opportunities the United States had lost by my obstinacy.

I permitted my mind to dwell on these considerations, merely that I might, by the utmost degree of circumspection, endeavor to render the uprightness and propriety of my conduct as evident as possible.

My only difficulty arose from this single question: Whether I could prudently risk acting on a presumption, either that Spain did not already, or would not soon be acquainted with the contents of this instruction. If such a presumption had been admissible, I should, without the least hesitation, have played the game a little further, keeping this instruction in my hand as a trump card, to prevent a separate peace between Spain and Britain, in case such an event should otherwise prove inevitable. Had Spain been at peace with our enemies, and offered to acknowledge, guaranty, and fight for our independence, provided we would yield them this point, (as once seemed to be the case,) I should, for my own part, have no more hesitation about it now than I had then. But Spain being now at war with Great Britain, to gain her own objects, she doubtless will

prosecute it full as vigorously as if she fought for our objects. There was and is little reason to suppose that such a cession would render her exertions more vigorous, or her aids to us much more liberal. The effect which an alliance between Spain and America would have on Britain and other nations, would certainly be in our favor, but whether more so than the free navigation of the Mississippi is less certain. The cession of this navigation will, in my opinion, render a future war with Spain unavoidable, and I shall look upon my subscribing to the one as fixing the certainty of the other.

I say I should have played this game a little further if the presumption before mentioned had been admissible, because it has uniformly been my opinion, that if after sending me here Congress had constantly avoided all questions about the Mississippi, and appeared to consider that point as irrevocable, Spain would have endeavored to purchase it by money, or a free port, but as her hopes of a change in the opinion of Congress were excited, and kept alive by successive accounts of debates, and intended debates on that question, and as Congress by drawing bills without previous funds had painted their distress for want of money in very strong colors, Spain began to consider America as a petitioner, and treated her accordingly. But as by the intervention of Dr. Franklin, our bills for near six months were safe, and as after this resolution of the 15th of February, there was reason to expect that the subject of it would not soon be resumed in Congress, I should, in case I could have depended on this instruction's being and remaining a secret, have thought it my duty to have given the United States a fair trial for the Mississippi, or at least for a free port near it. With this view, I should have appeared to give myself no concern about the bills, applied for no aids, made no offers, and on all proper occasions have treated an alliance with Spain as an event which, though wished for by us, was not essential to our safety, and as the price demanded for it appeared to us unreasonable, it was not probable we should agree. I think we should then have been courted in our turn, especially as the Minister was very desirous of having our men-of-war on the stocks, and that thus dealing with them on terms of equality, would have produced some concessions on their part as inducements to greater ones on ours. I am persuaded in my own mind, that prudent self-respect is absolutely necessary to those

nations who would wish to be treated properly by this Court, and I have not the least doubt but that almost any spirit will prosper more here than that of humility and compliance. I had no doubt but that this plan of conduct would have been perfectly consistent with that part of the instruction which orders me to make every possible effort to obtain from his Catholic Majesty the use of the river aforesaid, &c. For whatever might have been, or may be, my private sentiments, they shall never in mere questions of policy influence me to deviate from those of Congress.

But on the other hand, there being abundant circumstantial evidence to induce a firm persuasion that the Ministry were well acquainted with the contents of this instruction, this plan would have been idle. The moment they saw that the cession of this navigation was made to depend upon their persevering to insist upon it, it became absurd to suppose that they would cease to persevere. All that remained for me therefore to do was, in the next conference to break this subject as decently as possible, and in such a manner as would account for my not having mentioned this instruction at our last meeting.

On Wednesday evening, the 23d of May, I waited upon the Count agreeably to his appointment. The Count seemed a little hurried in his spirits, and behaved as if he wished I had not come. He asked me rather abruptly, if I had any thing particular to communicate to him, and whether I had received any further letters. I told him I had received some private ones from L'Orient, but that none from the President of Congress had as yet reached me, though I had reason to expect one by that opportunity, as well as by the vessel lately arrived at Cadiz. I informed him of my having received from Mr. Harrison a copy of his memorial to the Governor of Cadiz, complaining that letters brought for him by the Virginia from Philadelphia, had been stopped at the gates on pretence that they must, agreeably to an ordinance for that purpose, be put into the post office, and charged with the like postage as if brought from Spanish America. He said he had not yet received a copy of the memorial, but that there was such an ordinance, and that it was highly proper the admission of letters into the kingdom, especially in time of war, should be under the direction of Government. That letters from North America rendered new regulations necessary, and

that he would turn his thoughts to this subject, and do what should appear equitable. This was another proof of what I before suspected, and looked like an indirect apology for opening my letters.

It surprised me a little that he said nothing of the remarks he had desired me to make on M. Gardoqui's going to America, especially as he had appointed this meeting for that purpose. To give him further time, I started a new subject, and begged he would take the earliest opportunity of completing the business of the Dover cutter. Notwithstanding all that had before passed between us about this affair, he affected to be very ignorant of it, and asked me a number of questions. I recapitulated the circumstances of the capture, my several applications to him on the subject, his promise finally to order the prize to be appraised, and the value to be paid to the captors, the arrival of one of them at Madrid, &c., &c. He replied with some degree of quickness and perplexity, that it was not a lawful prize, the crew not having authority to do what they did; that he had sent to the Canaries for particular information respecting the value, &c., that two of the packet boats had been taken; that he would pay some gratuity to the captors, and wished I would give him another state of the whole case in writing to refresh his memory, which I promised to do, and have since done.

He then resumed the subject of the letter which I expected from Congress. He expressed his regret at its not having arrived, said he was preparing instructions for M. Gardoqui, who would certainly depart in June, and that until I could give him precise information of the dispositions of Congress, he could not enter into any further conversations on the subject of the proposed treaty. I joined in regretting the miscarriage of my public letter, and the more so as my private ones gave me reason to expect instructions which would enable me to comply so far with his Majesty's views, as that I hoped no further delays would intervene to prevent a perfect union between Spain and the United States. That my correspondence had given me to understand that Congress viewed the speedy accomplishment of this union as very important to the common cause; and, therefore, if Spain would consent forthwith to come into it, in that case they would gratify his Majesty by ceding to him the navigation of the Mississippi below their territories on reasonable terms.

He replied that he earnestly desired to see all difficulties on this point removed, but that the treaties subsisting between Spain and

other nations, as well as the particular policy and determination of Spain, rendered it necessary that she should possess the exclusive navigation of the Gulf of Mexico. After a variety of other remarks of little importance, he made a very interesting observation, which will help us to account for the delays of the Court, viz: That all these affairs could with more facility be adjusted at a general peace than now, for that such a particular, and even secret treaty with us might then be made as would be very convenient to both. That he nevertheless wished to know exactly the views and intentions of Congress, but that I must wait for the arrival of my letters, and that he would in the meantime finish M. Gardoqui's instructions, whose going to America he did not doubt would make a useful impression on the English Court. I was beginning to reply to what he said when he interrupted me by mentioning his not having time at present to prolong the conference.

Throughout the whole of this conversation, the Count appeared much less cordial than in the preceding one; he seemed to want self-possession, and to that cause I ascribe his incautiously mentioning the general peace as the most proper season for completing our political connexions. I had, nevertheless, no reason to suspect that this change in his behavior arose from any cause more important than those variations in temper and feelings, which they who are unaccustomed to govern themselves often experience from changes in the weather, in their health, from fatigue of business, or other such like accidental causes.

As I had not as yet received any letter from the President, either by the Virginia, or the vessel lately arrived at L'Orient, nor by Colonel Laurens, who, I was informed, had brought letters for me, I concluded it would be most prudent to wait ten days, or a fortnight, before I proceeded to act on the copy of my instruction received from Mr. Lovell, expecting that such other letters as might then have arrived in France or Spain for me, would reach me in the course of that interval, if at all. And I determined, in case I should receive none, to proceed, without further loss of time, to make a formal overture to the Minister for a treaty on the ground of this instruction. It happened, however, that the Minister was so occupied during the remaining time that the Court staid at Aranjues, by the expedition preparing to sail from Cadiz, under the Duke of Crillon, and other matters, that it was impossible to engage a moment of his attention

to American affairs. The removal of the Court to Madrid necessarily consumed some time, and as soon as they were well settled there, I wrote the Count the following letter—none of the letters expected from America having come to my hands :

To the Count de Florida Blanca.

“ Madrid, July 2d, 1781.

“ Sir,

“ When Congress were pleased to order me to Spain, with the commission of which I have had the honor of presenting a copy to your Excellency, I left my country with the most sanguine expectations that the important objects of it would be speedily accomplished. The proofs they had received of his Majesty’s friendship for them, the interests of a common cause, and the information they had received from persons whom they conceived in capacity to give it, all conspired to infuse these hopes.

“ On my arrival, your Excellency gave me to understand that the realizing these expectations would turn on one point, and I have uniformly since been informed that this point was the navigation of the Mississippi below the territories of the United States, in which Congress desired to retain a common right, but of which the maxims of policy adopted by his Majesty required the exclusive use.

“ I have now the honor of informing your Excellency, that Congress, in order to manifest in the most striking manner the sincerity of their professions to his Majesty, and with a view that the common cause may immediately reap all the advantages naturally to be expected from a cordial and permanent union between France, Spain, and the United States, have authorised me to agree to such terms relative to the point in question, as to remove the difficulties to which it has hitherto given occasion.

“ Permit me, therefore, to hope, that his Majesty will now be pleased to become the ally of the United States, and for that purpose authorise some person or persons to adjust with me the several points of compact necessary to form a union, which, by being founded on mutual interest, may be no less satisfactory than it certainly will be important to both countries.

“ Your Excellency will oblige me exceedingly by putting it in my power to give Congress early, explicit, and, let me add, agreeable

information of his Majesty's pleasure and intentions on the subject of this letter.

"I have the honor to be, &c.,

JOHN JAY."

Although it was sufficiently evident that the Court of France could not, for the reasons assigned in my letter to Congress of the 6th of November, 1780, openly and warmly interpose their good offices to bring about this treaty, it nevertheless appeared to me most prudent to behave on this occasion towards the Ambassador, as if I knew nothing of those reasons, and, therefore, sent him a copy of the foregoing letter to the Minister, enclosed in one of which the following is a copy :

To the Count de Montmorin.

"Madrid, July 2d, 1781.

"Sir,

"I have the honor of transmitting to your Excellency herewith enclosed, a copy of a letter I have this day written to his Excellency the Count de Florida Blanca. I have thereby informed him of my being authorised to remove the objections hitherto made by the Court of Spain to a treaty of alliance with the United States, and again requested that the measures necessary for the purpose may now be taken.

"Permit me to request that the favorable interposition of our kind and generous ally with his Catholic Majesty may be exerted to commence the proposed negotiation, and bring it to a speedy and happy conclusion.

"The confidence justly reposed by America in the amity and assurances of his Most Christian Majesty, forbid me to urge this request by any arguments, (persuasives being indelicate, when not warranted by doubts of inclination.) I am happy in reflecting, that his instructions on this subject are committed to the execution of a Minister from whose attachment, as well as from whose talents and address, the American cause may expect to derive advantage.

"I have the honor to be, &c.,

JOHN JAY."

The instructions above alluded to are those which Count de Vergennes, in his letter to me of the 13th of March, 1780, assures me should be sent to their Ambassador here. I must confess to

Congress, that I very much doubt his ever having received any other instructions than generally to favor the treaty, and to manage his interference in such a delicate manner as, without alarming the pride of Spain, to give both parties reason to think themselves obliged.

The French Ambassador sent me no answer to this letter, which, in my opinion, gives a greater degree of probability to my conjectures. I must, nevertheless, do him the justice to say, that I have great reason to believe him to be in sentiment, and with sincere attachment a friend to our cause, and that he considers the honor and interest of France deeply concerned in the success and support of it.

On the 11th of July, having received no answer from the Minister, I waited upon him. He told me he had received my letter, but that the short time the Court would remain at Madrid, and the multiplicity of business that he was obliged to despatch, would not admit of his attending to our affairs till after the arrival of the Court at St. Ildefonso. He then informed me that a vessel had arrived at Cadiz, which had brought despatches for me, and that his courier had brought them to Madrid. He then delivered me a number of letters, among which was one from his Excellency the President, of the 28th of May last.*

I need not observe that all these letters bore evident marks of inspection, for that has uniformly been the case with almost every letter I have received.

I do not recollect to have ever received a letter that gave me more real pleasure. When I considered that almost the whole time since I left America had afforded me little else than one continued series of painful perplexities and embarrassments, many of which I neither expected nor ought to have met with; that I had been engaged in intricate and difficult negotiations, often at a loss to determine where the line of prudence was to be found, and constantly exposed by my particular situation to the danger of either injuring the dignity and interest of my country on the one hand, or trespassing on the overrated respectability and importance of this Court on the other; I say, sir, that, on considering these things, the

* Secret Journal of Congress, Vol. II., p. 404.

approbation of Congress gave me most singular and cordial satisfaction.

I was also happy to perceive from this letter, that the plan of my late letters to the Minister and French Ambassador, of the 2d of July, above recited, happens to correspond exactly with the views of Congress, respecting the manner of conducting this negotiation.

It appearing to me that the communication I was directed to make to this Court could not be better made than in the very words of this letter, which seemed exceedingly well calculated for the purpose, I recited them in a letter, which I wrote two days afterwards to the Minister, viz :

To the Count de Florida Blanca.

“ Madrid, July 13th, 1781.

“ Sir,

“ I have now the honor of communicating to your Excellency a copy of certain instructions I have just received from Congress, dated the 28th of May, 1781, and which were included in the despatches which your Excellency was so obliging as to deliver to me the evening before the last, viz :

“ ‘ It is their instruction that you continue to acknowledge on all suitable occasions the grateful impression made on these States by the friendly disposition manifested towards them by his Catholic Majesty, and particularly by the proofs given of it in the measures which he has taken, and which it is hoped he will further take for preserving their credit, and for aiding them with a supply of clothing for their army.

“ ‘ You are also authorised and instructed to disavow in the most positive and explicit terms, any secret understanding or negotiation between the United States and Great Britain ; to assure his Catholic Majesty that such insinuations have no other source than the insidious designs of the common enemy, and that as the United States have the highest confidence in the honor and good faith, both of his Most Christian and his Catholic Majesty, so it is their inviolable determination to take no step which shall depart in the smallest degree from their engagements with either.’

“ It gives me pleasure to observe that these instructions confirm, in the fullest manner, the assurances and professions I have here-

tofore made to your Excellency respecting the sentiments and dispositions of the United States, and I flatter myself that his Majesty will be pleased to consider the assurances they contain, as receiving unquestionable proofs of sincerity from the offer I have already made to confirm them by deeds, no less important to the interests than, I hope, consistent with the views and desires of his Majesty.

“I cannot omit this occasion of presenting my congratulations on the success of his Majesty’s arms at Pensacola. This event cannot fail of being followed by important consequences to the common cause, and may perhaps induce the enemy to expect greater advantages from concluding a reasonable peace, than continuing to protract an unrighteous war.

“Having understood, shortly after receiving my letters from your Excellency, that the Court had also received despatches from Philadelphia, I presumed that the communication of any gazettes from thence, which indeed contain all the intelligence I have, would be useless, and therefore did not send them; but on considering that it was possible that the papers I had might be of later date than those which your Excellency might otherwise receive, I now take the liberty of enclosing two, which contain accounts somewhat interesting. If they should be new to your Excellency, I beg that their not being sooner sent will receive an apology from the above-mentioned circumstance; and that your Excellency will remain assured of the perfect respect and consideration with which I have the honor to be, &c.,

JOHN JAY.”

I also took the earliest opportunity of mentioning to the Ambassador of France that my letters from America gave me reason to believe that our union was daily growing more warm and intimate, and that Congress, in writing of their affairs here, had expressed themselves in the strongest terms of attachment to his Most Christian Majesty, and not only approved of my communicating freely and confidentially with his Ambassador here, but also directed me in express terms to endeavor, in the course of my negotiations, to include and promote the interests of France.

The Ambassador was much pleased. He told me his letters assured him that the best understanding subsisted between the French and American troops, and that much good might be

expected from the increasing harmony and intercourse between the two countries.

The Court removed to St. Ildefonso without the Minister's having either given any instructions to M. Gardoqui, answered my above-mentioned letters, or taken the least notice of my late representations to them about the *Dover* cutter, &c.

The events of the campaign were as yet undecided, and little money in the treasury.

On the 21st of July the Minister wrote me the following note, in which there was ample field left open for procrastination :

Translation.

“The Count de FLORIDA BLANCA presents his compliments to Mr. Jay, and has the honor of acquainting him that he has duly received his two letters of the 2d and 13th instant. The short stay of the Court at Madrid allowing time only to despatch the most pressing business, the Count de Florida Blanca has not been able to take into consideration the points which form the object of the above-mentioned letters. He proposes, therefore, to do it at present, in order to render an account thereof to the King, and in the meanwhile he has the honor to repeat to Mr. Jay the assurances of the most perfect esteem and consideration.

“St. Ildefonso, July 21st, 1781.”

On the 4th of August I arrived here. I did not see the Minister till the 8th, he being, as I was told, from home. He had made no communications to the King. He had been sick ; he had been busy, and was so still. I requested to be informed when it would be most convenient to him to confer with me on the subject of my late letters, and to give me such information relative to his Majesty's intentions as he might be prepared to communicate to me. He answered that he could not then fix a time, being exceedingly hurried by pressing business. He asked how long I proposed to stay. I told him till the Court removed. He then promised to take an early opportunity of conferring with me on the subject of our affairs, and promised to send me word when he should be ready to receive me.

I remained in this state of suspense and expectation until the 18th

of August, when, having been for a week past very much indisposed with a fever and dysentery, and fearing lest that circumstance might become a ground of delay, I wrote the Count word "that my health would permit me to wait upon his Excellency at any time and place he might do me the honor to name." He replied two days afterwards, in a manner which indicated his supposing I had gone to Madrid and had returned. He must have known better, for none of my family had been absent from hence, and one or other of them were almost daily about the palace and gardens:

Translation.

"The Count de FLORIDA BLANCA is charmed to learn that Mr. Jay has sufficiently recovered from his last indisposition to make a journey from Madrid to this place, and thanks him for his attention in communicating it to him.

"The very pressing business with which he finds himself at present surrounded does not permit him to fix the day for a conference with Mr. Jay, but the moment he shall be a little disengaged, he will have the honor to advise Mr. Jay of it.

"St. Ildefonso, August 20th, 1781."

On the 22d I sent him a note enclosing a newspaper which contained an account of General Greene's operations, the capture of Fort Watson, &c.

The Count answered this note by another, expressing his thanks for the intelligence, but not a word of a conference.

On the 30th of August Major Franks arrived here with interesting despatches, of which I must not here take notice lest I interrupt the thread of this letter, which I devote particularly to the affair of our negociations for a treaty.

There was, indeed, among these despatches a very sensible letter from Mr. R. Morris to me about money matters,* &c., excellently well calculated for being shown entire to the Minister.

I consulted with the French Ambassador on the propriety of giving the Minister a copy of it. He advised me to do it, and much commended the letter. As it might have suffered from being carelessly translated, I had it put into very good French.

* See this letter above, p. 326.

I was very glad to see the Major. The nature of the despatches he brought being a secret, occasioned speculation, and gave me an opportunity of drawing further advantages from his arrival. His accounts of American affairs were favorable to us, and the manner of his behavior and conversation has not done discredit to himself nor prejudice to his country.

The Ambassador of France having assured me that the Minister had really been a good deal indisposed, I thought it would be best to write him a letter in a style somewhat adapted to his situation. He certainly appears to be fatigued and worn down by business. He looks as I have seen some members of Congress look after two years' attendance.

To the Count de Florida Blanca.

“St. Ildefonso, September 3d, 1781.

“Sir,

“When I consider that the delicate state of your Excellency's health demands a greater degree of leisure and relaxation than the various business of your office will permit, it is with great reluctance that I can prevail upon myself to remind your Excellency that since our conference at Aranjues, the affairs of the United States at this Court have made no progress.

“The short residence of his Majesty at Madrid, I am persuaded, made it necessary to postpone the discussion of these affairs to this place; and since my arrival here on the 4th of August last, I have daily flattered myself with being enabled to communicate to Congress his Majesty's pleasure on the important subjects which, by their order, I have had the honor of laying before your Excellency.

“It has also for some time past been my duty to have requested your Excellency's attention to some other objects, which, though of less public importance, are nevertheless interesting to individuals, as well as to the commercial intercourse of the two countries, but it did not appear to be consistent with the respect due to your Excellency to solicit your attention to new objects, while the former remained undespached for want of time.

“It would give me great pleasure to have it in my power to regulate all my applications by your Excellency's convenience, and though I am happy to see the connexion between our two countries

daily increasing, yet as that circumstance will naturally render necessary applications to Government more frequent, I fear the duties of my situation will often press me to be troublesome to your Excellency.

“On Friday evening last I received some important despatches from Congress, which I shall do myself the honor of communicating at any time which your Excellency may be pleased to name. The gentleman who brought them will, after passing on to Paris, return immediately to Philadelphia, and will with pleasure execute any orders which your Excellency may honor him with for either of those places. His stay here will be but short. As soon as I can ascertain the day of his departure, your Excellency shall have immediate notice of it. As Congress will naturally expect to receive by him particular information respecting their affairs here, I cannot forbear expressing how anxious I am to make him the bearer of welcome tidings; and permit me to hope that your Excellency’s sensibility will suggest an apology for the solicitude which appears in this letter.

“I have the honor to be, with great respect, &c.,

JOHN JAY.”

On the 5th, I received the following answer, viz :

Translation.

“The Count de FLORIDA BLANCA has been much mortified not to be able to receive the visit of Mr. Jay, not only on account of the too pressing business which has engaged all his time, but also by reason of the indisposition he has suffered, and still suffers.

“Although he be not in a situation to engage in long and serious conferences for the reasons abovementioned, he will, nevertheless, be charmed to converse a moment with Mr. Jay, one of those leisure evenings when there is no business with the King; in which case, Mr. Jay may, if he thinks proper, bring with him the officer in question.

“Saturday, for instance, towards eight o’clock, the interview may take place.

“Wednesday, the 5th of September.”

Your Excellency will be pleased to observe, that the Minister in

the above note intimates a desire that I should bring Major Franks with me. I thought it best to do so; but lest his presence should be a check upon business, and as it was natural to suppose that the Count would begin by asking him questions about our affairs, I desired the Major to relate to him the impression made in America by that article in the capitulation of Pensacola which permitted the garrison to go to New York. I also desired the Major to retire into the ante-chamber and leave me alone with the Minister, as soon as the latter should appear to have finished with him.

At the time appointed, viz., the evening of the 8th of September, we waited upon the Minister.

The Count received us very politely. He spoke much of his want of health, and how greatly it incapacitated him for business. He then asked the Major several questions about our military operations. The Major answered them clearly, and, in speaking of the proposed siege of New York, very naturally introduced an account of the surprise and apprehensions occasioned by the permission given to the Pensacola garrison to join that of New York. The Count confessed it was ill done; said it was very unexpected, and that they ought to have been sent to Europe; that the like should not happen in future, and that proper orders upon that subject should be despatched to their Generals. He then observed, that our fears were not altogether well founded, for that those troops were restrained by the capitulation from taking arms against the allies of Spain till exchanged, and could not operate against our troops without also operating against those of France, who were joined with them, and who, it was well known, were the allies of Spain. The Major replied, that it was feared that the enemy would attempt to evade this reasoning, by insisting that the French troops in America were only to be considered as auxiliaries to the United States, and that though that argument might be fallacious, yet, that in matters affecting America, the enemy had invariably neglected good faith, whenever they found it convenient.

The Count asked how long the Major would stay here. I told him, that I only detained him in expectation of being soon enabled by his Excellency to write something decisive by him to Congress on the subjects under his consideration. He said he hoped in the course of next week to enter into serious conferences with me on those subjects, and that he would give me notice of the day. He

offered to give the Major letters to the Spanish Ambassador at Paris, and to do him any other services in his power. He then rose from his chair in a manner indicating indisposition, said he was unable to do business, and that M. del Campo should inform me when it would be convenient for him that I should see him again. I expressed my regret at his illness, and gave him the French translation of Mr. Morris's letter, adding, that I had intended to offer him some remarks on the subject of it. He said he would read it with pleasure. He spoke of Mr. Morris's appointment, and after conversing a few minutes about the good consequences expected from it, and of the services done by that gentleman to Spain, in some business they had committed to his care, we parted.

Thus this conference ended as fruitless as the last.

Eight days elapsed. I heard nothing from the Minister. He was daily at Court, and every evening took his ride.

I repeatedly mentioned and complained of these delays to the French Ambassador. He regretted them, promised to speak to the Minister on the subject; but, I believe, did not. I appeared much dissatisfied, though not with him; and told him, that if Major Franks returned to America with no other intelligence than that of repeated delays, it was more than probable that Congress would be much hurt, as well as much disappointed. He had the same fears, and advised me to detain the Major.

It became in my opinion important that the Minister, as well as the French Ambassador, should be seriously apprehensive of my dismissing the Major with letters that would render Congress very little disposed to make sacrifices to this Court. The manner of doing this required some caution. I could think of nothing better than to prepare a letter to the Minister, and send the Ambassador a fair copy of my draft for his consideration and advice.

The following are copies of that letter, and of the one I sent with it to the Ambassador:

To the Count de Montmorin.

“St. Ildefonso, September 16th, 1781.

“Sir,

“The paper herewith enclosed is the draft of a letter which I think of writing to his Excellency the Count de Florida Blanca.

“The subject, as well as the occasion, demands that dexterous and delicate management, of which they only are capable who possess an accurate judgment and much experience in affairs of this kind.

“I am happy, therefore, that on such occasions I can avoid the risk of committing errors, by recurring to your friendly advice.

“Without compliment, but with sincerity, I am, sir, &c.,

“JOHN JAY.”

To the Count de Florida Blanca.

“Whatever may be the issue of the American Revolution, whether that country shall continue independent, or be doomed to reunite her power with that of Great Britain, the good will and affection of the people of North America cannot in either case be unimportant to their neighbors; nor will the impressions made upon their minds, by the benefits or injuries which they may receive from other nations in the course of their present struggles, ever cease to have a certain degree of influence on their future conduct.

“Various circumstances led Congress at an early period to suppose that the Court of Spain had wisely and generously determined to take a decided part in their favor. The supplies granted to them by his Catholic Majesty, soon after the British armies became numerous in America, spoke this language in strong terms, and the assurances repeatedly given me by your Excellency, that his Majesty would firmly support their cause, and never consent to their being reduced to the subjection of Britain, left no room to doubt of his friendly disposition and intentions towards them.

“Many obvious considerations prompted Congress to desire that an intimate connexion might speedily be established between the two countries, by such treaties as would take from the enemy every prospect of success, and secure to Spain and the United States the permanent enjoyment of mutual advantages and reciprocal attachment. With this view Congress were pleased to send me to Spain, and the first letter I had the honor of receiving from your Excellency gave me reason to believe that the object of my mission was not displeasing to his Majesty; unavoidable and long delays were, nevertheless, created by differences respecting a certain important right which America wished to retain. So strong, however, was the

reliance of Congress on his Majesty's assurances of support, and such was their disposition to render the proposed treaties consistent with his inclinations, that they have since agreed to remove the only obstacle which seemed to prevent his Majesty from realizing those assurances by substantial aids and an open declaration of his intentions.

"But, unfortunately for America, and perhaps for the general cause, the delays in question have not ceased with the cause to which they were ascribed, and although the confidence reposed by Congress in his Majesty's assurances will not permit them to doubt of his determination to support their independence, yet the silent inattention with which their offers to remove the former obstacle to a treaty have long laid unanswered, must appear to them as being very singular. Your Excellency has indeed repeatedly promised me to name a time when I should have an opportunity of conferring with you on that and other subjects submitted to your consideration, but it constantly happened that the expectations excited by these promises proved abortive.

"Knowing that Congress would expect to receive by the return of Major Franks particular information respecting their affairs here, I was anxious to send them some intelligence more welcome than I have reason to think a detail of delays and procrastination would be, at a season when they would be indulging the most flattering expectations from the measures they had taken to gratify his Majesty. For this reason I informed your Excellency that I should detain Major Franks for the present, and your Excellency promised me, on the 8th instant, that you would appoint some time in the ensuing week for entering into a serious conference about these matters, and that M. Del Campo should give me notice of it. That week, however, has passed away without having been witness to any such notice or conference.

"I think your Excellency will do me the justice to acknowledge that the utmost respect, delicacy, and patience have been observed in all my transactions with your Excellency, and therefore I cannot forbear hinting that my constituents are at least entitled to that species of attention which the most dignified Sovereigns usually pay to the friendly propositions of such States as solicit either their aid or alliance in a decent manner, viz: a candid answer.

"I am sensible that Spain possesses a higher degree on the scale

of national importance than the United States, and I can readily admit that the friendship of this Court is of more immediate consequence to America, than that of America to the Spanish Empire. But, as his Catholic Majesty and his Ministers doubtless extend their views beyond the present moment, it would ill become me to remark how essential it is to the happiness of neighboring nations, that their conduct towards each other should be actuated by such passions and sentiments only, as naturally tend to establish and perpetuate harmony and good will between them. Most certain it is, that, in whatever manner the negociations between Spain and North America may terminate, various good or evil consequences will in future naturally and necessarily flow from it to both.

“There is good reason to believe, that the apparent indecision of Spain, relative to an open acknowledgment of the independence of the United States, has inspired other nations with doubts and conjectures unfavorable to the American cause, and, on the other hand, it is more than probable that, if his Catholic Majesty would be pleased to declare to the world that the United States were his allies, and that he had given his royal word to support their independence, Holland and many other nations would follow his example.

“On such an event, also, it might not be difficult to form a permanent alliance between France, Spain, the Dutch, and the United States, and thereby not only prevent a separate peace between the Dutch and English, but effectually reduce the latter to reasonable terms of general pacification.

“The limits of a letter forbid my enlarging on these topics. The eyes of America, and indeed of all Europe, are turned towards Spain. It is in the power of his Catholic Majesty to increase his friends and humble his enemies. I will only add my most sincere wishes, that the annals of America may inform succeeding generations that the wisdom, constancy, and generous protection of his Catholic Majesty, Charles the Third, and of his Minister, the Count de Florida Blanca, are to be ranked among the causes that insured success to a revolution which posterity will consider as one of the most important and interesting events in modern history.

JOHN JAY.”

The Ambassador called upon me in the evening to answer my letter.

He observed that the delays of which I complained were not

singular, but that others, and even himself, experienced the like. That he had reason to believe this Court were really disposed to treat with us, though the time when might be doubtful. That the remarks made in the draft of my intended letter were but too just; that he feared they would give offence; that, at any rate, he thought I had better postpone it, and for the present write one less pointed, and more laconic. We had much conversation on the subject, unnecessary to repeat. It ended in my consenting to pursue his advice.

It is observable that he did not offer to return me the draft of this letter, though I had agreed to suppress it.

The letter which, agreeable to the Ambassador's advice, I substituted in the place of the other, is in these words, viz :

“St. Ildefonso, September 17th, 1781.

“Sir,

“A reluctance to despatch Major Franks without transmitting by him to Congress the information they expect to receive, on the subject I have had the honor of submitting to your Excellency's consideration, has induced me hitherto to detain him, especially as I was encouraged to hope that your Excellency would have found leisure last week for entering into serious conference with me on those important points. The same reluctance prevails upon me to detain him another week, and I think it my duty to inform your Excellency that he will set out on Saturday next.

“I need not remark to your Excellency, that if the letter I may then write by him should not contain the desired intelligence, Congress will naturally be led to apprehend that their expectations of forming an intimate union with Spain were not well founded.

“I have the honor to be, &c.,

JOHN JAY.”

On the 19th, I received the following answer :

Translation.

“The Count de FLORIDA BLANCA would have been charmed to have had it in his power to have a long conference with Mr. Jay, if his ordinary indispositions had not prevented him; he will, therefore, have the honor to see him this evening about eight o'clock, if Mr. Jay will give himself the trouble of waiting on him, either alone or with Major Franks; and in communicating to the King

the result of their conference, he will endeavor to prevail on his Majesty to name some other person to confer with Mr. Jay in case of need, in order to avoid, as much as possible, the embarrassments which Mr. Jay has hitherto experienced.

“ Wednesday, 19th of September, 1781.”

I waited upon the Count at the time appointed. The following is a copy of my notes of that conference :

Notes of a Conference held at St. Ildefonso, on Wednesday evening, the 19th of September, 1781, between his Excellency the Count de Florida Blanca and Mr. Jay, agreeably to the appointment of the former.

The Count introduced the conference by asking for Major Franks, and why Mr. Jay did not bring him with him. Mr. Jay answered, that as Major Franks was not charged with the transaction of any business with his Excellency, and had at a former interview answered such questions relative to American affairs as the Count had thought proper to ask him, Mr. Jay did not think his attendance on this occasion necessary, as he supposed his Excellency meant to enter at present into the discussion of the matters referred to in Mr. Jay's last letter.

The Count then proceeded to enumerate the various obstacles arising from his ill health, the multiplicity of business, which had so long subjected Mr. Jay to the delays he had hitherto experienced, and which, for his part, he could not but regret; that agreeable to his promise made to Mr. Jay soon after his arrival, and frequently afterwards repeated, he had attempted to commit to paper his sentiments on the various points on which the proposed treaties must turn, and although he had made some progress in it, he had, for the reasons abovementioned, been obliged to leave it imperfect; that daily experience convinced him that his official business was too extensive and various to admit of his application to other objects, especially as his indisposition often rendered it impracticable for him to pay a due attention to it; that he, therefore, conceived it necessary that some person, duly authorised to confer with Mr. Jay on these subjects, should be appointed by his Majesty; that he intended on Sunday next to recommend this measure to the King, to whom he would at the same time communicate the copy of Mr. Morris's

letter to Mr. Jay, which the latter had given him; that in order to the putting of this matter in proper train, it would be expedient for Mr. Jay previously to commit to paper his ideas of the outlines of the proposed treaties, and particularly to state the propositions he might think proper to make relative thereto; that he had been informed that the treaties between France and America had been preceded by the like measures; for that the American Commissioners had first offered a plan of propositions, and then M. Gerard was appointed to confer with them before those treaties were drawn into the state they now appear, and finally concluded. That the like proceedings were rendered particularly necessary in this case, by the variety and importance of the points necessary to be adjusted between Spain and America; that in forming political connexions between nations, constant regard must be had to their reciprocal interests, and care taken, by previous arrangements, to avoid the inconveniences which would result from any clashing of interest; that three great points presented themselves as requiring great attention, in forming the proposed connexion between Spain and America.

1st. The aids requested by America, as stated in Mr. Morris's letter, were very considerable; that it would be necessary on the part of Spain to determine what pecuniary aids it might be in their power to grant either by loan or subsidy, as well as the time, place, and manner of payment; for that great punctuality was requisite in such transactions, as well that the royal engagements might be properly fulfilled, as that Congress might not be subjected to inconveniences and disappointments; that on the part of America it must be ascertained what compensation they should make, as well as the time and manner of doing it; and that it might be well to consider how far such compensation might be made in ship timber, or other productions of that country; that a compensation would be indispensable, for that the King, being only the guardian of his dominions, would not think himself justifiable in dispensing with the just rights of his people.

2dly. That the commercial concerns of the two countries was another point, which would call for very accurate and important regulations. That so far as this commerce would respect the United States and Old Spain, the difficulty would not be very great; for that such commerce being in a considerable degree permitted to

other nations, America ought also to participate in the benefits of it. But with respect to the Spanish dominions in America, as all other nations were excluded from any direct commerce with any part of them, the United States could not reasonably expect to be on a better footing than other nations, and particularly the French, who were the near allies of Spain.

3dly. That with respect to the proposed treaty of alliance, Mr. Jay must be sensible that the several engagements which would thereby be rendered necessary between the parties, the matters of boundary, and the navigation of the Mississippi, would give occasion to several important articles, which ought to be maturely considered and well digested. To this end, he wished that Mr. Jay would immediately turn his thoughts on these subjects, and offer him such a set of propositions as might become the basis of future conferences between him and the person whom he expected his Majesty would appoint.

The Count then took occasion to observe, that he had long wished Mr. Jay had offered him such propositions, but that his Court had as yet received from Congress nothing but good words and fair assurances, and that though his Majesty had given them some little aids, yet they had discovered no disposition, by acts, to acknowledge them. Mr. Jay reminded his Excellency of his having, at a very early day, undertaken to commit to paper the outlines of the proposed treaties, and that the constant expectations of his perfecting it, had restrained Mr. Jay from offering any thing of the like nature on the subject. That he could conceive of nothing in the power of Congress to do, which could more fully evidence their disposition to gratify his Majesty, than their having offered to recede from their claims to the navigation of the Mississippi, though the preservation of it was deemed of the highest importance to their constituents. The Count admitted the propriety of both these observations, and said he hoped that the delays which had so long embarrassed Mr. Jay would soon be terminated.

Mr. Jay expressed his anxiety to be enabled to communicate to Congress some decided intelligence respecting the aids they might expect from this Court; to which the Count replied, that the sum requested was great, the expenses of the kingdom very extensive, and the means of obtaining the sums necessary to defray them subject to many difficulties; that he would, as he had before men-

tioned, communicate Mr. Morris's letter to the King, and, until that was done, he could not be in capacity to say any thing further on the subject ; that as the appointment of a person to confer with Mr. Jay would rest with his Majesty, he could not say who in particular it would be, but he hoped, and was persuaded that it would be some person well-intentioned towards America ; that he was the more confirmed in this expectation, from the friendly disposition which the King had early and constantly manifested towards that country ; that he would again repeat what he had before told Mr. Jay, viz., that the King, when acting in capacity of mediator for a peace, had refused to permit that country to be sacrificed ; that since the rupture with Britain, tempting and advantageous offers had been made to him to withdraw his protection from America, and conclude a separate peace ; that he had rejected these offers, and still continued determined to support the States ; that this conduct ought to be viewed as extremely generous, as no political connexions or engagements did then, or do as yet subsist between the two countries. Mr. Jay assured his Excellency that the magnanimity of this conduct had made a deep impression on the people of America ; that nothing but want of opportunity would ever prevent their expressing it more strongly than by words, and that the sense they entertained of it had greatly influenced the late measure they had taken to comply with his Majesty's desires. The Count then pressed Mr. Jay again to send him the paper abovementioned before Sunday, adding that he sincerely wished nothing might be wanted to put the business in a proper train ; that for his part, he had the best disposition towards America, as well as personal regard for Mr. Jay, and, after adding some complimentary expressions relative to the character of the latter, he concluded.

I was a little surprised that the Count should expect to receive from me, in the course of three days, formal propositions on the several points stated in this conference. But it would not have been proper for me to desire further time.

On the 22d of September I sent him the following letter and propositions :

“ St. Ildefonso, September 22d, 1781.

“ Sir,

“ I have the honor of transmitting, herewith enclosed, the propositions requested by your Excellency on Wednesday evening last.

“I have endeavored to render them as short and simple as possible, and I flatter myself that the unreserved frankness with which they are written will be no less agreeable to your Excellency than I am sure it is consistent with the desire and disposition of my constituents.

“As the issue of this measure will in a great degree ascertain the expectations which Congress entertain from their negotiations here, and as they flatter themselves with receiving information on this subject by the return of Major Franks, they will doubtless excuse my detaining him another week, unless your Excellency should sooner be enabled to communicate to me his Majesty’s pleasure relative to the proposed treaty.

“Permit me to entreat your Excellency, therefore, to enable me to transmit by him such intelligence to Congress as may relieve them from their present distressing doubts and uncertainties.

“I sincerely hope it may be such as may make them happy in a prospect of soon seeing an intimate and lasting union established between France, Spain, and the United States, a union which, by being raised on the solid foundation of mutual interest and reciprocal advantages, may secure to each the blessings of uninterrupted tranquillity. This generous policy pervades the treaties already formed between his Most Christian Majesty and the United States, and I am happy in being persuaded that the magnanimity of his Catholic Majesty’s conduct towards my country, on this and other occasions, will furnish materials for some bright pages in the American annals.

“I have the honor to be, sir, &c.,

JOHN JAY.”

Here follow the propositions alluded to, and sent enclosed in the preceding letter :

“St. Ildefonso, September 22d, 1781.

“As the time allowed Mr. Jay for offering such propositions, as may become the basis of the proposed treaty between his Catholic Majesty and the United States of North America, is very short, he should fear the consequences of haste and inaccuracy, if he were not persuaded that the candor with which they will be received, will secure him from the inconveniences to which these circumstances might otherwise expose him.

“Mr. Jay presumes that it is not expected he should offer a plan of a treaty drawn at length, but only general propositions, which may be so modified and enlarged, as on due consideration and discussion may appear expedient. With this view, he begs leave to present the following as the basis of a treaty of amity and alliance, viz :

Propositions.

I. “There shall forever subsist an inviolable and universal peace and friendship between his Catholic Majesty and the United States, and the subjects and citizens of both.

II. “That every privilege, exemption, and favor, with respect to commerce, navigation, and personal rights, which now are, or hereafter may be granted, by either, to any the most favored nation, be also granted by them to each other.

III. “That they mutually extend to the vessels, merchants, and inhabitants of each other, all that protection which is usual and proper between friendly and allied nations.

IV. “That the vessels, merchants, or other subjects of his Catholic Majesty, and the United States, shall not resort to or be permitted (except in cases which humanity allows to distress) to enter into any of those ports or dominions of the other, from which the most favored nation shall be excluded.

V. “That the following commerce be prohibited, and declared contraband between the subjects of his Catholic Majesty and the United States, viz :

“All such as his Catholic Majesty may think proper to specify.

Remarks. “On this proposition Mr. Jay can offer nothing, but an assurance of his being ready to concur in every reasonable regulation that may be proposed.

VI. “The United States shall relinquish to his Catholic Majesty, and in future forbear to use, or attempt to use, the navigation of the river Mississippi from the thirty-first degree of north latitude, that is, from the point where it leaves the United States, down to the ocean.

Remarks. “The impression made upon the United States by the magnanimity of his Majesty’s conduct towards them ; the assistance they hope to receive from the further exertions of the same magnanimity ; the deep wound which an alliance with so great a monarch would give to the hopes and efforts of the enemy ; the strong support it would afford to their independence ; the favorable influence which

the example of such a king would have on other nations, and the many other great and extensive good consequences which would result at this interesting period from his Majesty's taking so noble and decided a part in their favor, have all conspired in prevailing upon Congress to offer to relinquish in his favor the enjoyment of this territorial and national privilege, the importance of which, to their constituents, can only be estimated by the value they set upon his Majesty's friendship.

“By this proposition, the United States offer to forego all the advantages and conveniences which nature has given to the country bordering on the upper parts of that river, by ceasing to export their own, and receiving in return the commodities of other countries by that only channel, thereby greatly reducing the value of that country, retarding its settlement, and diminishing the benefits which the United States would reap from its cultivation.

“Mr. Jay thinks it his duty frankly to confess that the difficulty of reconciling this measure to the feelings of their constituents, has appeared to Congress in a serious light, and they now expect to do it, only by placing in the opposite scale the gratitude due to his Catholic Majesty, and the great and various advantages which the United States will derive from the acknowledgment and generous support of their independence by the Spanish monarchy, at a time when the vicissitudes, dangers, and difficulties of a distressing war, with a powerful, obstinate, and vindictive nation, renders the friendship and avowed protection of his Catholic Majesty in a very particular manner interesting to them. The offer of this proposition, therefore, being dictated by these expectations and this combination of circumstances, must necessarily be limited by the duration of them and consequently, that if the acceptance of it should, together with, the proposed alliance, be postponed to a general peace, the United States will cease to consider themselves bound by any propositions, or offers, which he may now make in their behalf.

“Nor can Mr. Jay omit mentioning the hopes and expectations of Congress, that his Majesty's generosity and greatness of mind will prompt him to alleviate, as much as possible, the disadvantages to which this proposition subjects the United States, by either granting them a free port, under certain restrictions, in the vicinity, or by such other marks of his liberality and justice, as may give him additional claims to the affection and attachment of the United States.

VII. "That his Catholic Majesty shall guaranty to the United States all their respective territories.

VIII. "That the United States shall guaranty to his Catholic Majesty all his dominions in North America.

Lastly. "As the foregoing propositions appear to Mr. Jay the most essential, he omits proposing those less and subordinate ones, which seem to follow of course. He therefore concludes this subject with a general offer and propositions to make and admit all such articles as, in the course of this negociation shall appear conducive to the great objects of the proposed treaty.

Remarks. "Nothing on Mr. Jay's part shall be wanting to expedite the happy conclusion of this business, by adhering constantly to the dictates of candor, frankness, and unsuspecting confidence.

"He is ready to receive the treaty between the United States and his Christian Majesty, as a model for this, or with such alterations as, founded on the principles of reciprocity, may be more agreeable to his Catholic Majesty, it being his earnest desire to arrive at the important objects of his mission in any way his Majesty may please to prefer.

"The subject of aids, either by subsidy or loan as may be most convenient to his Majesty, will require a particular convention, but as the manner, extent, and terms depend on his Majesty's pleasure, it is impossible for Mr. Jay, without some knowledge of it, to offer propositions adapted thereto. All that he can at present say on that subject is, that Congress are ready to do every thing in their power. He will not, however, endeavor to conceal their incapacity to do much in the way of compensation, while the enemy shall continue to make the United States the theater of a desolating war, and the object of their predatory operations. But when those obstacles shall cease, it will be in their power, as well as their inclination, to make retribution, and render important services to his Majesty. Mr. Jay will therefore continue to decline attempting to induce his Majesty to take any measures, however favorable to his country, by delusive promises or rash engagements; but on the other hand, he is ready to enter into such reasonable ones as he may have good reason to say shall be faithfully and punctually performed.

"A particular treaty regulating the conduct to be observed by his Catholic Majesty and the United States towards each other during the war, also appears to Mr. Jay important to both; but as the

proper plans and articles of such a treaty can only result from a free conference on the subject, he can upon this occasion only express his readiness to concur in every provision which may be calculated to give energy and success to the operations and objects of both.

“JOHN JAY.”

Your Excellency will be pleased to observe that among my remarks on the sixth proposition, I have limited the duration of the offer contained in it. I did this from a persuasion that such limitation was not only just and reasonable in itself, but absolutely necessary to prevent this Court's continuing to delay a treaty to a general peace. Besides what the Minister dropped upon this head in his conference with me at Aranjues, I think it probable that they still wish to adhere to that idea. To me they appear desirous of avoiding the expense that the aids which a treaty we should expect would render unavoidable, and which at present would not be very convenient for them. They wish to see our independence established, and yet not be among the first to subscribe a precedent that may one day be turned against them. They wish not to exclude themselves, by any present engagements, from taking advantage of the chances and events of the war, not choosing, on the one hand, that in case we sink, that we should be fastened to them by any particular ties, nor on the other hand, in case we survive the storm, to be so circumstanced as not to make the most of us. I think it is their design, therefore, to draw from us all such concessions as our present distress, and the hopes of aid may extort, and by protracting negociations about the treaty, endeavor to avail themselves of these concessions at a future day, when our inducements to offer them shall have ceased. As this would evidently be unjust, I think the limitation in question can give them no offence, and I hope Congress will be pleased to communicate to me their sentiments on the subject.

I must also remark, that after what has passed, and considering how well they are acquainted with my instructions, it would not only have been useless, but absurd to have made these propositions otherwise than agreeably to those instructions.

Congress may at first view be a little surprised at the extent of the fifth proposition, but when they compare it with the second, I am persuaded they will find it sufficiently restrained.

In forming these propositions, it was my determination to leave them so free from disputed or disputable points, as that no plausible pretexts for delay should arise from the face of them. I am well apprized, nevertheless, that in the course of the negociation, it will be impossible for me to prevent their practising as much procrastination as they may find convenient. Almost the only hope I have of their seriously doing business arises from their fearing that the instruction respecting the Mississippi will be recalled the moment that either any very decided successes on our part in America may render a treaty with Spain of less importance to us, or a general treaty of peace give us different views and prospects.

These are my conjectures and opinions. Perhaps they may prove erroneous; as facts accompany them, Congress will be enabled to judge for themselves. I will add, that from every thing I can hear, the King is honestly disposed to do us good, and were he alone to be consulted in this business, I believe it would soon be concluded.

On the 23d of September, the foregoing propositions were to be laid before the King. I heard nothing further from the Minister until the 27th, when he sent me the following note:

Translation.

“ Although the last letter of Mr. Jay, accompanied with a certain plan, was transmitted on Saturday in the evening to the Count de Florida Blanca, and although he could not inform himself of their contents until translated from the English, he nevertheless did not fail to render an account thereof to the King in his despatch of Sunday. His Majesty having then shown himself disposed to appoint some person to confer with Mr. Jay, it is become necessary to prepare a suitable instruction, and present it to the King for his approbation. The Count de Florida Blanca flatters himself that he shall be able to arrange this affair before the departure of the Court for the Escorial, and in the meanwhile, he has the honor to transmit to Mr. Jay a passport for Major Franks.

“ Thursday, September 27th, 1781.”

I have been given to understand, though not officially, that M. Del Campo, the Minister's Secretary, is the person who will be appointed to confer with me, and though that gentleman is constantly about the Minister, yet it seems that a set of formal instructions are

to be prepared for him. When the Minister will be able to find either time or health to complete them is uncertain.

There is reason to believe that still less progress would have been made in this affair had Major Franks not have arrived. I regret his detention, but hope the reasons assigned for it will be deemed sufficient; I am perfectly satisfied with him.

Notwithstanding Congress had given me reason to expect that the plan of drawing bills upon me had been laid aside, I have now bills to the amount of between seventy and eighty thousand dollars to pay, and no funds provided. What am I to do? Dr. Franklin writes me, that so far from being able to give me further aids, he does not expect to have it in his power even to pay our salaries in future.

From the facts stated in this letter, Congress will perceive that this Court neither refuse nor promise to afford us further aid. Delay is their system; when it will cease I cannot conjecture, for that is a question which I doubt whether they themselves have as yet determined.

I am indebted largely to Mr. Harrison for money advanced by him to distressed seamen. He ought to be paid, and it is so far from being in my power to do it that I have been reduced to the mortifying necessity of desiring him for the present to hold his hand. A great many of this valuable class of people are confined in English gaols, without other means of obtaining their enlargement than by entering into the enemy's service. They complain bitterly of being neglected by their country, and I really think not without reason. Retaliation ought to be practised; and if we have not a sufficient number of marine officers and seamen in our power to make the objects of it, why would it be improper to substitute landsmen?

As to Portugal, I have more than once spoken to the Minister on the subject. He admits the justice of our being treated by that as by other neutral nations. He has promised to interfere in our behalf; but nothing efficacious has yet been done. To send an agent there could do no harm, and might do good; I am therefore for it. The Ambassador of France thinks with me that, before that step is taken, it ought to be confidentially communicated to this Court; and I am persuaded difficulties will arise from it. I shall do my best.

M. Gardoqui's departure is uncertain. He is still attending the orders of the Court. I doubt his receiving them till the campaign closes, and perhaps not then.

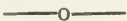
I do not despair of seeing some good result finally from all this complication of political solecisms. It would not surprise me if we should in the end be the gainers by them. My greatest fears are about the fate of the bills. If protested for want of payment, they will become the source of much evil.

I have the honor to be, &c.,

JOHN JAY.

P. S. I have this instant received a letter from Commodore Gillon, dated at Corunna the 28th of September, and one from Colonel Searle of the 26th of September. I herewith enclose copies of them. Their contents are interesting.

J. J.



TO THE PRESIDENT OF CONGRESS.

Madrid, October 18th, 1781.

Sir,

Major Franks delivered me the despatches committed to his care on the 30th of August. He set out for France the 5th instant. My letters by him to your Excellency will account for his remaining here so long. I also beg leave to refer to them for other more interesting particulars.

Congress will doubtless be informed that I have refused to accept some of their bills. As the enemies of America in Europe had, with some success, endeavored to render the credit of our paper suspected, it appeared to me expedient to state the reasons for these refusals very particularly, and I caused them to be recited at large in the protests. I have sent copies of them to Dr. Franklin and Mr. Adams, that in case these transactions should be represented to our disadvantage, either in France or Holland, they might be enabled to set the matter right. I now send copies to Congress, to prevent their being alarmed at any general report that may arrive in America of my having refused to accept their bills drawn upon me.

Our merchants would, in my opinion, do well to write their endorsements on bills at length, and in their own handwriting.

There is reason to believe that the enemy often turn blank endorsements to good account.

M. Gardoqui is here. Those ships of the Spanish flotilla which carried the treasure are arrived at Cadiz. Trenches are not yet opened against Fort St. Philip at Minorca. Another expedition is preparing at Cadiz ; its destination is uncertain.

I have the honor to be, &c.,

JOHN JAY.

—o—

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, November 1st, 1781.

Dear Sir,

Your letter to Congress of April last having been read and answered by them, though not so minutely as I would wish, I forbear making any remarks upon it, because I am not yet perfectly acquainted with their sentiments, (and would not wish any which might interfere with them,) having just entered upon the office, in consequence of which I open this correspondence, though long since appointed. I beg of you, agreeably to the directions of Congress, to address in future your public letters to me, and to notify the Count de Florida Blanca of this alteration in our system, our unacknowledged situation rendering it improper to do it formally.

Congress have at length completed the organization of their Executive Departments by the choice of General Lincoln for their Secretary at War. It is expected that order and system will arise out of this mode of doing business, and the strictest economy.

If the great Powers of Europe, with every advantage that settled Governments enjoy, feel themselves under the necessity of making foreign loans, can it be expected that a war of six years, in the heart of our country, should not have abridged the resources of a State which had every necessary for their army to import ; which never manufactured for itself ; which had no marine ; and which, with a number of internal enemies in their bosom, had civil governments to establish ? Perhaps it would be impossible to offer a better picture of the resources of this country, and the stability of her funds when they shall be well managed, than by comparing our present debt with the duration of the war and the exertions we have made. For

though our enemies may allege that our debt was relieved by the depreciation of our bills, yet it must be remembered that that very depreciation was a tax, though an unequal one, borne by the people of these States; and as it has not produced national ruin, it must follow that the States had sufficient resources to bear this burthen. These resources, though lessened, still remain.

The only object for which Britain continues the war is the recovery of this country. What better plan of finance, then, can be adopted by France or Spain than by timely aids of ships and money to blast this hope, and by a speedy peace to terminate their expenses? If, on the contrary, they wish to linger out the war till Britain is more exhausted, this country affords them the easiest means of doing it.

Armies may be maintained here for one third of the expense that Britain lays out upon hers. This France has experienced. Though her affairs were not perhaps managed with the strictest economy, though her bills were extremely low, her supplies cost at least one third less than the British paid at New York, without taking into account the hire of transports, the seamen employed, paid, and fed in that service, and the number of them that fell into our hands. Be persuaded yourself, and endeavor to persuade others, that if this is a war of finance, which all modern wars are, Britain is most vulnerable in America.

I congratulate you upon the important success of our arms in South Carolina and Virginia, of which I enclose you official accounts. On the returns you will remark a number of British American nominal regiments. These were recruiting in Virginia and North Carolina, and their success will show the truth of what Britain advances with respect to the number of her partizans in America. I will venture to say that with similar advantages their recruiting parties would have been more successful in any country in Europe. Besides the troops mentioned in the returns, the enemy lost during the siege near two thousand negroes. Previous to the surrender, they had a naval engagement with the Count de Grasse. The *Terrible*, a British seventy-four, was burnt, so that our affairs here stand upon the most respectable footing imaginable.—[Upwards of thirty lines follow interspersed with a cypher, the key to which is not to be found.]

But this is a delicate subject, and I quit it till I am more fully acquainted with the views of Congress thereon, for I confess to you, that the sentiments I have hazarded are rather my own, than any that I know to be theirs, and should weigh accordingly with you. The provision trade with the Havana being very considerable and important to Spain, while she has fleets and armies to maintain there, it might be proper to suggest to the Spanish Ministry the advantage of allowing small convoys of frigates, which would enable us to carry it on in vessels of greater burthen, and by that means diminish the expense of freight and insurance, both of which, eventually, fall upon Spain. A few frigates would answer the purpose, as the stations of the enemy's ships are almost always known on this coast, and, indeed, they seldom have any out but frigates cruising singly.

Another thought strikes me, which, perhaps, if digested, might be ripened into a plan advantageous to France, Spain, and America. While France keeps an army here, she must draw bills or export money. She has, for the most part, preferred the former, at the loss of forty per cent. discount. The money of Spain is lodged at the Havana, and cannot be brought to Europe without great hazard; whereas the risk of sending it here under convoy is extremely small. It may be vested in European bills to such advantage as to pay the whole expense of transportation, and even an interest, till the bills are negotiated in Europe. This plan affords France a market for her bills, Spain a cheap and easy way of bringing her money home, and America a circulating medium, which enables her to tax with advantage.

The enclosed act of Congress informs you of the appointment of Mr. Hanson, of Maryland, to the Presidentship.

I shall write very frequently to you, and shall in return expect that you will omit no opportunity of letting me hear from you. A Court calendar, if one is printed with you, with notes of your own thereon, might be of some service to us. I shall use our private cypher, as corrected by that sent by Mr. Toscan, till you receive the one transmitted by Mr. Thomson, in which case, as it is less troublesome, be pleased to use that, if you are sure it came safe.

I am, dear sir, with the sincerest regard and esteem, &c.,

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, November 28th, 1781.

Dear Sir,

I wrote so fully to you not long since, that I should not trouble you at this time, if I had not determined to omit no opportunity of letting you hear from this side of the water, and enabling you at all times to meet any falsehood the enemy may find it politic to publish.

Since the capture of Cornwallis, nothing very material has happened. The ravaging parties on the northern frontiers have been defeated with great loss by the militia. The armies have taken their stations for the winter quarters; the French in Virginia and Maryland; our troops, on the Hudson, excepting some detachments under General St. Clair, destined to reinforce General Greene. They have orders to take Wilmington in their way, where the enemy have about six hundred men; it is probable they will not wait the attack. General Greene will have men enough to shut up the enemy, but not to force their strongholds. Want of money cramps all our exertions, and prevents our making a glorious winter campaign. The enemy are all shut up on two or three points of land, which is all they possess of the immense country they hope to conquer; and even these they hold by a very precarious tenure. Disaffection, which has languished for some time past, died when Cornwallis surrendered.

Congress are occupied in taking measures for an active campaign; and they feel themselves satisfied with every thing both at home and abroad.

Congress have dissolved Mr. Adams's powers to make a treaty of commerce with Great Britain; and, as you know, joined Dr. Franklin and Mr. Laurens in his other commission, if England should at length be wise enough to wish for peace.

The Marquis de la Fayette is the bearer of this. He has promised to convey it with safety to you, and to correspond with you in such a manner as to enable you to avail yourself of the knowledge which he has acquired, that may be of use to you. The resolves of Congress, of which I enclose a copy, show their sense on this subject, and the confidence which they very justly repose in him. His Aid waits for this. Adieu my dear sir.

Believe me to be, with the highest respect and esteem, &c.,

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, December 13th, 1781.

Dear Sir,

My last letter of the 28th of November, sent by the Marquis de Lafayette, must for the most part have been unintelligible to you, owing to an unfortunate mistake of Mr. Thomson, who delivered me a cypher sent by Mr. Palfrey, which you never received, instead of that sent by Major Franks. The duplicate enclosed is in the last, so that you will no longer be at a loss for my meaning. Since the date of that letter the enemy have thought it prudent to abandon Wilmington, in North Carolina. This port was extremely important to them, not only as it checked the trade of that State, but as it directly communicated with the disaffected counties. For it must be confessed, that though in other parts of the continent they had only well wishers, in North Carolina they had active partizans. These they have left to the mercy of their country, and abandoned as disgracefully as the capitulation of York did those of Virginia. It is not improbable that when General St. Clair joins the southern army, the enemy will evacuate Savannah, as they are at present extremely weak there; and unless they reinforce from New York, may be attacked with a prospect of success.

Your letter of the 20th of September has been received and read in Congress. They have not been pleased to direct any particular answer thereto, so that you are to consider it as their wish that you execute the commission with which they have entrusted you.

You will see that I neglect no opportunity of writing. I flatter myself that you will be equally attentive to let us hear from you. It is not without some degree of pain that we receive our earliest intelligence frequently from the Minister of France. I know you may retort upon us with too much justice, but I hope to give you less reason to do so in future. I send a packet of newspapers with this. I sent another some time ago. I hope they may reach you. In one of them you will find an ordinance of Congress, which comprises all their resolutions with respect to captures; and forfeits all British goods, which have not been taken, as prizes. Perhaps this may make some arrangements with the Court of Spain necessary; that is, if any prize goods are reshipped from thence to America.

I am, my dear sir, with the greatest esteem and regard, &c.,

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, February 2d, 1782.

Dear Sir,

Having heard that a vessel is soon to go to Cadiz from Baltimore, I embrace the opportunity to send a quadruplicate of my last letter, and to add thereto the little information which this inactive season affords. Nothing passes here between the armies; they are cantoned at a distance from each other. The enemy is secure from attack by the nature of their situation; and we by our numbers, our success, and the apprehensions of Sir Henry. We turn our faces therefore to the south, and expect from the enterprise of General Greene an activity which the season will not admit of here.

I had a letter from him of the 13th of December, which contains the latest advices. His camp is at Round O. He writes in high spirits, and assures me he is preparing for the siege of Charleston, which he is not without hopes of carrying, even before any foreign assistance can arrive. I must confess for my own part, notwithstanding the natural coolness of General Greene, that I believe he is much too sanguine on this occasion, for I have no conception that his means are adequate to so important an object, more especially as troops have since the date of his letter sailed from New York, as I suppose, for Charleston.

The governments of Georgia and Carolina are again established, and their Legislatures are now sitting. The detestation of the people for the British can hardly be conceived. General Greene's letter expresses it in the following words: "The tyrants of Syracuse were never more detested than the British army in this country; even the slaves rejoice, and find a kind of temporary freedom from oppression on the return of their masters."

I congratulate you upon the capture of St. Eustatia and St. Martin's. The enterprise does the highest honor to the abilities and spirit of the Marquis de Bouillé; and his disinterested generosity is finely contrasted with the sordid avarice of the British commanders.

Order and economy have taken place in our finances. The troops are regularly clothed and fed at West Point, and most of the other posts, at the moderate rate of nine pence a ration, when issued, so

that the innumerable band of purchasing and issuing commissaries is discharged. The hospitals are well supplied in the same way, and small advances of pay are made to the officers and men. Upon the whole, they were never in so comfortable a situation as they are at present. Our civil list formed upon plans of the strictest economy, after having been many years in arrear, is now regularly paid off; and the departments, in consequence of it, filled with men of integrity and abilities. Embargoes and other restrictions being removed, our commerce begins to revive, and with it the spirit of industry and enterprise; and what will astonish you still more is, that public credit has again reared its head. Our bank paper is in equal estimation with specie. Nothing can be more agreeable than to see the satisfaction with which people bring their money to the bank and take out paper; or the joy, mixed with surprise, with which some, who have hesitatingly taken bank bills for the first time, see that they can turn them into specie at their option.

Whether Spain wishes for peace or war, it is certainly her interest to push the enemy where they are most vulnerable, and where she can do it with the smallest expense to herself, and the greatest to her enemy. Every additional man she enables us to maintain here, forces Britain to lay out four times as much in procuring, transporting, and feeding another to oppose him. It has been acknowledged in the British House of Commons that every man in America costs the nation annually one hundred pounds sterling. Though this may appear exorbitant, yet whoever reflects on the first expense of raising and transporting a regiment, and the additional charge of sending over recruits to make up deficiencies, and that of sending provisions to an army and its innumerable dependants three thousand miles, will think it deserves some degree of credit. It is obvious then, as nations are only strong in proportion to the money they can command, that every thousand men we oblige the British to maintain here must make a diminution of their strength in some other quarter, equal to three times that number.

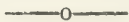
Enclosed you have copies of two original letters from Mr. Deane, in which he acknowledges others that Rivington has published, which speak a still more dangerous language. No doubt is entertained here of his apostacy, or of his endeavor to weaken the efforts of the United States, and to traduce the character of the people and their rulers, both in Europe and America. You will doubtless use

every means in your power to destroy the ill effects, which his calumnies may have had upon the minds of people with you. I enclose you the gazettes, and again entreat you to let us hear from you more frequently, and to leave letters at all times at Cadiz, and in the hands of our Consul in France, so that no vessel may sail without bringing us some intelligence. The last letter we had from you is dated in September, near five months ago. I dare say this has been owing to some accidental cause, and I only mention it, that you may guard against it by writing more frequently in future, as the silence of our Ministers excites more uneasiness here than you can conceive. Pray send me, when no other subject presents itself, and you have leisure, a sketch of the Government of Spain, and the present state of its trade, marine, military establishments, commerce, revenues, and agriculture.

I could also wish to have the Madrid Gazette, and Mercury, and the Court Calendar of this year. I have the pleasure of informing you, that your friends here are well, and as numerous as ever.

I am, my dear sir, with those sentiments of esteem and friendship, which I shall always feel for you, your most obedient humble servant,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON, SECRETARY OF FOREIGN AFFAIRS.

Madrid, February 6th, 1782.

Dear Sir,

The Secretary of the Minister of State sent me yesterday morning your favor of the 13th of December last, accompanied by various papers.

These are the first letters or papers of any kind that I have as yet had the pleasure of receiving from you since your appointment; and they must for the present remain unintelligible for the want of your cypher. The one mentioned to have been enclosed with these papers is missing, and the other never came to hand.

On the 29th of November last I received a packet, in which I found enclosed a set of cyphers endorsed by Mr. Secretary Thomson, and nothing else. Mr. Barclay had sent it by the post, under cover to a banker here. It had evident marks of inspection, but I acquit the banker of any hand in it.

A letter of the 18th ultimo from Mr. Joshua Johnson, at Nantes, mentions the arrival there of the brig *Betsey*, from Philadelphia, and that she brought letters for me, which were put into the post office by the captain. I have not yet seen them.

There are letters in town brought by the Marquis de la Fayette to France; but I have not yet received a line by or from him.

We must do like other nations—manage our correspondences in important cases by couriers, and not by the post.

I have not written you a single official letter, not having been ascertained of your having entered on the execution of your office. I have, indeed, sent you by more than one opportunity my congratulations on your appointment.

You may rely on my writing you many letters, private as well as official, and as I still have confidence in Mr. R. Morris's cypher, I shall sometimes use it to you.

A duplicate of my letter of the 3d of October to Congress, which goes with this, renders it unnecessary for me to go into particulars at present. Nothing having since happened but a repetition of delays, and, of consequence, additional dangers to the credit of our bills.

I am, dear sir, &c.,

JOHN JAY.

—o—

TO THE PRESIDENT OF CONGRESS.

Madrid, February 6th, 1782.

Sir,

My last particular letter to your Excellency was dated the 3d of October last, by Major Franks. I now transmit a duplicate of it by Mr. Stephen Codman, a young gentleman of Boston, who is passing through this city to Cadiz, from whence he will either be the bearer of it himself to America, or forward it by some person of confidence.

From the date of that letter to this day, the Minister has found it convenient to continue the system of delay mentioned in it. I have not been able to obtain any thing more than excuses for procrastination, and these excuses are uniformly want of health, or want of time.

There is little prospect of our receiving speedy aids from this Court, and Dr. Franklin gives me reason to fear that a great number of the bills drawn upon me must, after all our exertions to save them, be finally protested for non-payment. I have, from time to

time, given the Doctor a great deal of trouble on this subject, and I ought to acknowledge that I am under many and great obligations to him for his constant attention to our affairs here.

As soon as I get a little better of the rheumatism, with which I am now, and have for some time past been much afflicted, I shall write your Excellency another long and particular letter.

I have just received, through the hands of the Minister's Secretary, a letter from Mr. Livingston, dated the 13th of December, marked No. 3. It is in cypher, but I cannot read it, nor a duplicate of No. 2, enclosed in it, for want of a key, which, though mentioned to have been enclosed, is missing. None of his other letters have reached me. A duplicate of Mr. Thomson's cypher, brought by Mr. Barclay, came to me through the post office with such evident marks of inspection, that it would be imprudent to use it hereafter.

Notwithstanding all our difficulties here, I think we should continue to oppose obstacles by perseverance and patience, and my recall should rather be the result of cool policy than of resentment. I am somewhat inclined to think that it may become politic to suspend it on the reply of the Court to a demand of a categorical answer. Unless the Minister's system should change, (for they still give me hopes,) it might perhaps also be proper for me to consult with Dr. Franklin and Mr. Adams on the subject, and send Congress the result. For this purpose, I submit to Congress the propriety of giving me permission to go to France or Holland.

Advantages are certainly to be derived from preserving the appearance of being well here; and such is the general opinion at present. But I am still much inclined to think it advisable to push this Court by a demand of a categorical answer. I doubt their venturing to break with us. The French Ambassador thinks it would be rash, and opposes it. Hence principally arises my suspense.

I have the honor to be, &c.,

JOHN JAY.

—O—

TO ROBERT R. LIVINGSTON.

Madrid, February 16th, 1782.

Dear Sir,

No letters by the Marquis de Lafayette have as yet reached me. I had the honor of writing to you on the 6th and 13th instant.

We were yesterday informed, and so the fact is, that the Castle of St. Philip surrendered by capitulation to the Duc de Crillon on the 4th instant. There was no breach made, nor any of the out-works taken. The garrison are to go to England and remain prisoners of war till exchanged.

I am to go to the Pardo this evening. There I shall learn some further details from the Minister. If I return sufficiently early for the post, they shall be subjoined.

Things look better just at present; but my sky has hitherto been so like an April one, that I dare not as yet flatter you or myself with settled fair weather.

I am, dear sir, with great esteem and regard, &c.,

JOHN JAY.

—O—

TO ROBERT R. LIVINGSTON.

Madrid, February 18th, 1782.

Dear Sir,

I wrote to you a short letter on the 16th instant. I have procured a copy of the gazette to be published to-morrow, and I send enclosed as much of it as contains the articles of capitulation for Fort St. Philip. This event takes place very opportunely, and will have a fine effect in England. Things begin to look more promising; but I avoid particulars for a week or two, that I may have a better opportunity of judging what reliance may be placed in present appearances.

With great esteem and regard, I am, dear sir, &c.,

JOHN JAY.

P. S. Not a letter yet by the Marquis de Lafayette.

—O—

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, March 8th, 1782.

Dear Sir,

I shall leave town to-morrow, and be absent a few weeks. I do not care to do it without letting you know that we have nothing worth telling you. For want of positive, you must be content with

negative information, which sometimes has its use, and failing of any other at least serves to provoke an answer, and makes those to whom it is addressed ashamed of their silence, when they can collect any thing to communicate. I just now learn that General Greene has moved to the Quarter House, five miles from Charleston, and detached a part of his army to Georgia. The enemy have evacuated all the outposts they held in that State, and retired into Savannah. It is imagined that they will shortly evacuate and concentrate their forces at New York. Empty transports have sailed from the latter place, but whether to bring away the troops from Charleston, I cannot say. We are extremely anxious to hear the event of a battle which has been fought in the West Indies between the fleets, but of which we know nothing certain.

Enclosed you have a copy of a letter from Mr. Pollock, who is well acquainted with the country about the Mississippi; it contains some information which may be of use to you. I also enclose you sundry resolutions of Congress organizing the office of Foreign Affairs, from which you will learn the extent of my powers, and not be misled by supposing them greater than they are.

I am, dear sir, with great esteem and affection,

ROBERT R. LIVINGSTON.

—o—

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, April 27th, 1782.

Dear Sir,

I informed you in my letter of the 16th instant,* that yours of the 3d of October had been received and submitted to Congress in my absence, and, as I had then reason to think, that it would be answered by them. This I wished because I was persuaded it would express their approbation of your conduct, and afford you that intimate knowledge of their sentiments, which the delicacy of your situation renders particularly important. They have, however, judged it proper to refer the letter to me. I shall endeavor to preserve the advantages I have mentioned to you, by reporting this answer.

* This letter is in cypher, and the key has been lost.

Acquainted with the expectations of Congress, and the grounds on which they formed them, you will easily believe that they are equally surprised and concerned at the little attention hitherto shown by Spain to their respectful solicitations. They had learned from every quarter that his Catholic Majesty, among the princely virtues he possesses, was particularly distinguished for his candor, and that open dignity of character, which is the result of having no views that he found any reluctance in disclosing; and that the Ministers in whom he confided, breathing the spirit of the Prince, were above those artifices which form the politics of inferior Powers. They knew the insults which Spain had received from Great Britain, and they could conceive no reason why she should conceal or refuse to return them by supporting openly the people whom Britain unjustly endeavored to oppress. These principles, confirmed by the frequent recommendations of those whom they believed to be acquainted with the sentiment of the Court of Madrid, induced them to send a Minister to solicit the favorable attention of his Catholic Majesty to a people who were struggling with oppression, and whose success or miscarriage could not but be important to a Sovereign who held extensive dominions in their vicinity. Give me leave to add, sir, that in the choice of the person, they were not inattentive to the dignity of the Court; or to the candor and integrity by which they were supposed to be influenced. I would not have you infer from what I have said, that the favorable sentiments which the United States have hitherto entertained of the Court of Madrid have undergone the least alteration. They are satisfied that nothing would be more injurious to both nations than to permit the seeds of distrust or jealousy to be sown among them.

But though those who are well informed feel no abatement of respect or esteem for the virtue and magnanimity of his Majesty, and do full justice to the integrity and abilities of his Ministers, accepting the apologies you mention, and attributing to their true causes the delays and neglects you have unhappily experienced, yet they are in the utmost pain lest they should work some change in the sentiments of the people at large, in whom with us the sovereignty resides, and from thence diffuse themselves into the Government, and be productive of measures ruinous to that friendly intercourse, that spirit of amity, which it is the wish of those who are acquainted with the true interests of both countries to promote.

After the war was declared by Spain, those among us who had formed the highest ideas of her magnanimity persuaded themselves that she would act advisedly for us, when she found us in distress. They grounded their belief upon the avowed spirit of the nation, and the policy of adopting measures to reanimate us and damp the ardor of the enemy, and to make such impressions upon our hearts as to give them in future a considerable influence on our councils. Our disappointment in this expectation, though perhaps to be accounted for upon very natural principles, has been greatly aggravated by the sedulous endeavors of the enemies of both countries to create distrust and jealousies. They artfully insinuate that Spain seeks only to draw advantages from our wants, without so far interfering in our affairs as to involve herself, if we should be unsuccessful. These insinuations are gaining ground, and it becomes daily more necessary for Congress to be furnished with reasons to justify to their constituents the concessions they have proposed to make, or to withdraw those concessions when they are found ineffectual. Yet they find much reluctance in discovering the least want of confidence in the Court of Madrid; and though their present situation might fully justify them in not parting with the important rights you are empowered to concede, without stipulating some very valuable equivalent, yet they cannot be induced to make any alteration in your instructions on this subject, till you shall have reason to conclude that nothing can be done towards forming the alliance they have so much at heart; not only because of the influence it will immediately have in accelerating the peace, but because of the advantages which Spain and America may reciprocally promise each other in future, from the lasting connexion which will be erected thereon.

Though the delays you have met with afford room to suspect that Spain wishes to defer a particular treaty with us till a general peace, yet I see so many political reasons against such a measure, that I can hardly presume they will adopt it.

At the close of a successful war, a great and powerful nation, to whom a character for justice and moderation is of the last importance, can in no case demand more than a compensation for the injuries received. This compensation will, indeed, be measured in part by their success. But still it has bounds, beyond which a nation

cannot go with dignity. Spain has insisted upon the cession of Gibraltar as a preliminary to a peace. This is, of itself, a considerable compensation for any damage she may have sustained. Should she carry her demands further, and, agreeably to the ideas of the Spanish Ministers, expect to have any exclusive right to the Gulf of Mexico, and the river Mississippi, she must not only demand East and West Florida of the British, but she must support the claims of Great Britain against those of America, the claims of an enemy against the rights of a friend, in order that she may make still further demands.

Will it consist with the dignity of his Catholic Majesty to ask, for the short space in which he has been engaged in the war, not only Gibraltar, but the two Floridas, the Mississippi, the exclusion of Great Britain from the trade to the Bay of Honduras; while the other branch of the House of Bourbon, who engaged early in the controversy, confines her demands to the narrowest limits? Will he expose himself to the imputation of despoiling an ally, (for such we are in fact, though we want the name,) at the instant that he is obtaining the greatest advantages from the distress which that ally has, at least in part, contributed to bring upon his enemy? And this, too, without the least necessity, when he may, by accepting and purchasing our title, appear to have contended for the rights of the United States. This will then make no part of the satisfaction to which he is entitled from Great Britain; he may justly extend his demands to other objects; or exalt his character for moderation by limiting them to narrower bounds. This mode of reasoning will come with more weight when we display our rights before impartial mediators, and show that recent conquests have been added to our ancient title, for it cannot be doubted that we shall, at the close of the war, make the most of those rights which we obtain no equivalent for while it continues.

I persuade myself, therefore, that Spain will not risk the loss of so important an object as the exclusive navigation of the Mississippi, by postponing the treaty to a general peace, more particularly as a treaty with us will secure our concurrence in their views at a general Congress, as well as save them the necessity of making demands inconsistent with that character for moderation which their great power renders important to them.

Congress flatter themselves that the surmises on this subject are groundless, and that before this reaches you the treaty will be far advanced. Should they be mistaken, you will take measures to know from Spain, whether she accepts your concession as the price of our alliance, and upon what terms. If they are such as you cannot close with, and the treaty must break off, be persuaded that any steps you have taken or shall take, not inconsistent with the respect due to his Catholic Majesty, to prevent the cessions you are empowered to make from militating against our rights, will be approved by Congress.

Congress presume you will find no difficulty in knowing the intentions of his Majesty on this subject, since they wish you to treat his Ministers with that unreserved confidence which becomes the representative of a nation which has no views that it does not avow, and which asks no favor which it does not hope to return; and, as in the present happy state of his Majesty's affairs, they can conceive no reason for disguising his designs, they are satisfied that your frankness will meet from his Ministers with the confidence it merits.

I make no observations on the hint the Count de Florida Blanca gave you with respect to the restitution of such sums as Spain might be pleased to advance to us; because whatever claims we might set up to a subsidy from the share we take in the burthen of the war, and the utility of our exertions in the common cause, we are far from wishing to lay ourselves under any pecuniary obligations for a longer time than is absolutely necessary. A few years of peace will enable us to repay, with interest, any sums which our present necessities compel us to borrow.

I cannot close this letter without expressing the grateful sense that Congress entertain of the disinterested conduct of Spain, in rejecting the proffers of Great Britain, which must undoubtedly have been considerable, if they bore that proportion to the importance of his Catholic Majesty in the great system of politics which those that have been frequently thrown out to lead the United States to a violation of their engagements have done to their comparatively small weight in the general scale. But as America never found the least inclination to close with the insidious proposals of Great Britain, so she finds no difficulty in believing that the wisdom and

magnanimity of his Catholic Majesty will effectually guard him against every attempt of his natural enemy, to detach him from those who are daily shedding their blood to avenge his injuries in common with their own.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

—o—

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, April 28th, 1782.

Dear Sir,

You will receive with this a letter dated yesterday. You will judge how far it may be expedient to ground demands on the right we have to a compensation for our share of the burthen and expense of the war, if the issue should be as favorable as we have reason to expect. Our strength is so much underrated in Europe, that you will find it proper to represent it as it really is. Our regular army, including the French troops, will consist of about men. They are well disciplined, clothed, and fed; and, having for the most part seen seven years' hard service, I believe they may be counted equal to any troops in the world. Our militia are in excellent order, and chiefly disciplined by officers who have left the regular service. While the army lies in the middle States, it can in ten or fifteen days receive a reinforcement of men for any particular service. Facts, that you can easily call to mind, will evince that any deficiency in the regular troops is amply made up by this supply. These are loose hints, by no means directory to you. Congress mean as little as possible to clog you with instructions. They rely upon your judgment and address to reconcile whatever differences may appear to be between the views of Spain, and the interests of these States.

I have the honor to enclose an important resolution, which I fear to put in cypher, both because you seem to be at a loss about your cypher, and because it would be of little use, considering the accident which you say has happened to it.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

TO ROBERT R. LIVINGSTON.

Madrid, April 28th, 1782.

Dear Sir,

My letter to his Excellency the President of Congress, of the 3d of October last, of which a copy has also been since sent, contained a full and accurate account of their affairs here. Many minute and not very interesting details of little difficulties were omitted, and among others those which arose from my having no funds for the bills payable in October and November, &c., &c. The experience I had gained of the disposition of this Court, and the delays which attend all their decisions and operations, induced me to consider my obtaining timely supplies from hence as very uncertain. I therefore wished to have an occasional credit from Dr. Franklin, to be made use of as necessity might require, and for that purpose wrote him the following letter on the 10th of September, viz :

To Dr. Benjamin Franklin.

“ St. Ildefonso, September 10th, 1781.

“ Dear Sir,

“ My last to you was of the 20th day of August last, by Dupin, the French Ambassador’s courier. Major Franks, with despatches from Congress and from Mr. Robert Morris, is now with me, and will proceed to Passy as soon as I shall be enabled to write to him.

“ He will bring you a copy of Mr. Morris’s letter to me, from which you will see the present state of American finances, and the measures he is prosecuting to ameliorate them. My former letters mentioned my apprehensions that many more bills had been drawn upon me, than those for which the sum you authorised me to draw upon you for would satisfy. Near seventy thousand dollars will be wanted to pay those which have since arrived, and although I cannot think it improbable that provision may here be made for at least a part of that sum, yet the delays which usually attend operations of this kind render it highly necessary that occasional resources be elsewhere had.

“ This consideration, so far as it applies to the payments to be made in the two succeeding months, obliges me again to recur to you.

“The sanguine expectations entertained by our country from the appointment of Mr. Morris, his known abilities, integrity, and industry, the useful reformatations he has begun, and the judicious measures he is pursuing abroad as well as at home, afford reason to hope that under his direction American credit will be reëstablished, and the evils which have long threatened us on that head avoided.

“It will be useless, therefore, to remark how important it is to prevent our credit from receiving a deep additional wound at the very moment when so much is doing to recover it. The protest of any of our public bills for want of payment would at this period be more injurious than heretofore, and unless again saved by you that cruel necessity must take place with respect to those on me. Besides, as the singular policy of drawing bills without previous funds will now be relinquished, we have reason to flatter ourselves that we shall in future have no embarrassments of this kind to struggle with. I am well persuaded that Mr. Morris will not pursue such hazardous and unprecedented measures, and, therefore, as in all human probability the present difficulties will be all that we shall have to surmount, I hope you will think with me that the utmost exertions should be made for the purpose, and that after having done so much to save the credit of American bills, you will still be disposed to do every thing in your power to put it out of danger.

“When it will be in my power to replace the sums drawn from you, is hard to divine. All I can say or do is to assure you that nothing but want of ability shall delay or prevent it.

“When I consider how much might have been saved had my bills on you been sold to those who would have taken them on the best terms, I cannot forbear thinking it would be advisable to give me only general authority to draw for such sums as I may want, not exceeding the one you may limit.

“The sum wanted for October is twelve thousand five hundred and sixty-seven dollars, and for November three thousand and six hundred.

“I particularize only the payments due in these two months, because, before the first of December, I hope my expectations from other quarters will at least be ascertained.

“I am, dear sir, with great and sincere regard and esteem, your obliged and obedient servant,

JOHN JAY.

“P. S. The Marquis d’Yranda has received a letter from Mr. Grand, informing him that no more bills are to be drawn upon you by me without further order. I am a little at a loss to determine whether this restriction is intended to extend to the balance which remains of the twenty-five thousand dollars allotted for the payment of the bills at two months’ sight, and for which I was only to draw as occasion might require.

“Lest my having refused to accept some bills drawn upon me by Congress should give rise to reports prejudicial to their credit, I transmit herewith enclosed a state of that case; you will be pleased to make such use of it as circumstances may render necessary. I gave a copy of it to the gentleman who presented the bills, and desired that it might be recited at large in the protest.

J. J.”

It was not till after several of the bills due in October had become payable, that I received the Doctor’s friendly answer of the 29th of September, in which he permitted me to draw for the sum requested; so that had not M. Cabarrus, my banker, consented to make the necessary advances, I should have been extremely embarrassed; for, as I before apprehended, any reliance for immediate, though small, supplies from this Court would have proved delusive.

This credit from Dr. Franklin enabled me to see our bills duly paid for two months, and I had some faint hopes that, before the month of December should arrive with further bills, the intention of this Court on the subject of supplies might be ascertained.

I will now proceed to resume the narrative of our affairs here from the date of my abovementioned letter to the President of the 3d of October last, confining myself to such matters as appear to me necessary to enable you to form a just and clear idea of my negotiations.

My letter of the 3d of October mentions my having been then lately promised that a person should be appointed to confer with me, as well on the subject of my propositions for a treaty as on that of my application for aids, and that his instructions should be completed before the Court should remove from St. Ildefonso to the Escorial, which was soon to take place.

This communication was made to me on the 27th of September, and, lest pretext for delay might arise from my absence, I determined

to remain at St. Ildefonso until the Court should be on the point of leaving it.

On the 5th of October I found that no further progress in our affairs was to be made before the Court should be settled at the Escorial, to which they were then preparing to go. I therefore concluded to return to Madrid, and, with the approbation of the Ambassador of France, I wrote the following note to the Minister, viz :

“ Mr. JAY presents his compliments to his Excellency the Count de Florida Blanca, and has the honor of informing him that he purposes to return to Madrid to-morrow, and will with pleasure attend his Excellency’s orders at the Escorial as soon as it may be convenient to his Excellency to render his presence there necessary.

“ St. Ildefonso, October 5th, 1781.”

To this I received the following answer :

Translation.

“ The Count de FLORIDA BLANCA presents his compliments to Mr. Jay, and wishes him a pleasant journey. He will write to him as soon as he can say any thing positive on the subject of his last note.

“ October 5th, 1781.”

Four days afterwards the Count sent me a complaint against Commodore Gillon, of the South Carolina frigate, then lying at Corunna; and I insert copies of the papers which passed between us on that occasion, not only because I ought to give an account of all interesting public transactions, but also that my conduct on this occasion may stand contrasted with that of the Minister on some other similar ones.

Recital of a Complaint exhibited by the Count de Florida Blanca against Commodore Gillon.

Translation.

“ An American vessel-of-war has arrived at Corunna, having on board two soldiers, deserters from the Irish regiment of infantry.

The commander of the Province having claimed them, the captain refuses to deliver them up, on any pretext whatever, pretending, among other reasons, that all his equipage belongs to his Most Christian Majesty. This is not at all probable, for if the officers and crew were subjects of France, it would have been improper to pass off the vessel for a frigate of the United States, under the American flag. Besides, these deserters having fled to a French vessel-of-war, to the demand of their surrender by the Spanish commander it was replied, on the word of honor of the captain, that they were not on board; so that, supposing the frigate to be a French ship, there is reason to suppose that they would have been surrendered.

“The Count de Florida Blanca has thought it necessary to inform Mr. Jay of these facts, in the full persuasion that he will have the goodness to write by the first post to the captain in such terms as to induce him to surrender the deserters; it shall be understood that they shall not be punished, and shall finish their engagements in their own corps, or in some other better paid.

“Mr. Jay is too reasonable not to grant that it would be unjust for a vessel to appear in a port solely to require and receive all sorts of attentions and marks of respect, (without any previous claim or engagement,) and at the same time to refuse to deliver up any subjects which it should have on board of the sovereign of the country in whose name all these tokens of respect have been rendered.

“October 8th, 1781.”

Answer to the above.

“Madrid, October 9th, 1781.

“Sir,

“The letter which your Excellency did me the honor to write on the 8th instant arrived this morning. I consider myself much obliged by the communication of the facts mentioned in it, especially as it affords me an opportunity of manifesting to his Majesty and to Congress my attention to his rights and to their orders.

“I perfectly agree in sentiment with your Excellency respecting the impropriety of detaining on board the American frigate at Corunna the two men claimed by the commandant there as deserters from one of his Majesty’s regiments.

“Your Excellency’s remarks on this subject are no less delicate

than just ; and your assurance that these men shall not be punished, renders a compliance with the requisition to deliver them up no less consistent with humanity than with justice.

“ It gives me pleasure to confess that the hospitable reception given to American vessels in the ports of Spain gives his Majesty a double right to expect that their conduct should at least be inoffensive. In the present case (as stated in your Excellency’s letter) I am fully convinced of the justice of this demand, that I should not hesitate to comply with it, even though made on a similar occasion by the Court of Portugal, from whose affected neutrality we suffer more evils than we should experience from any open hostility she is capable of executing.

“ Agreeably to your Excellency’s desire I have written a letter (of which the enclosed is a copy) to the commanding officer of the frigate in question ; and as the manner in which your Excellency’s letter to me treats this subject cannot fail making agreeable impressions on Americans, I shall take the liberty of sending a copy of it to Congress, as well as to the abovementioned officer.

“ I cannot omit this opportunity of expressing my acknowledgments for your Excellency’s promise to write to me from the Escorial as soon as you shall be in a capacity to speak positively on the subject of my late letter. Permit me only to remark that the season wears away fast, and that Congress must be extremely anxious to hear that the delays which have so long kept them in a disagreeable state of suspense are finally and happily terminated.

“ I have the honor to be, &c.,

JOHN JAY.”

The letter written to the commanding officer of the frigate, a copy of which was furnished to the Count de Florida Blanca, is as follows :

To Commodore Gillon.

“ Madrid, October 9th, 1781.

“ Sir,

“ The paper herewith enclosed is a copy of a letter which I received this morning from his Excellency the Count de Florida Blanca, his Catholic Majesty’s Principal Secretary of State and Minister for Foreign Affairs.

“ You will perceive from it that two men on board your frigate

are claimed by this Government as deserters from one of his Majesty's Irish regiments of infantry; and that you are said to have refused to deliver them up, because, among other reasons, your crew are the subjects of his Most Christian Majesty.

"If the men in question are citizens of one or other of the United States of North America, and admitted to be such, refusing to deliver them up as deserters from the service of Spain may be proper, because, while their own country is at war, they cannot, without her consent, enter into the service of any other Power.

"If they are Spaniards, then they are the subjects of his Catholic Majesty, and ought not to be withheld from him.

"If they are foreigners, in that case whatever right they might have to enter into the American service, they certainly had an equal one to enter into that of Spain; and if they had previously engaged with the latter, their subsequent enlistments with you were void, and Spain, being in friendship with us, has a just right to reclaim them.

"If they deny their having enlisted in the Spanish service, still, like all other foreigners who come into this kingdom, they ought to submit to the justice of the country, and you ought not to screen them from it, especially as it cannot be presumed that the charge made against them is destitute of probability.

"As to the circumstance of your crew's being subjects of the King of France, I cannot think that any argument to justify your detaining them can be drawn from it. For, admitting them to be French subjects, yet as it may be lawful for them (Spain and France being allies) to enter into the service of Spain, the right of Spain to enlist must necessarily involve a right to compel obedience, and also to retake and punish deserters. Besides, as any questions about the legality of such enlistments concern only those two crowns, Americans cannot with propriety interfere.

"In whatever light I view this affair, I cannot perceive the least right that you can have to detain these men, after having been thus formally and regularly demanded by proper authority as deserters from the service of his Catholic Majesty.

"You may observe that I treat this subject merely as a question of justice, arising from that general law which subsists and ought to be observed between friendly nations.

"I forbear making any remarks on the impolicy of your persisting

to detain these men. I hope never to see America do what is right merely because it may be convenient. I flatter myself that her conduct will uniformly be actuated by higher and more generous principles, and that her national character will daily become more and more distinguished by disinterested justice and heroic magnanimity.

"I shall take the earliest opportunity of transmitting a particular state of this affair to Congress, and I cannot doubt but that your conduct will merit their approbation, by being perfectly consistent with a just regard to the dignity and rights of a Sovereign who has acted not only justly, but generously towards our country.

"If your reluctance to deliver up those men should have arisen from an apprehension of their suffering the punishment which on conviction would be due to their offences, that reluctance ought now to cease, because his Excellency the Minister has been pleased to assure me that they shall not be punished, but only obliged to fulfil those engagements which they ought to have honestly performed instead of deserting.

"In short, sir, although, on the one hand, I will never advise or encourage you to violate the rights of the meanest man in the world in order to answer political purposes; yet, on the other, I shall always think it my duty to advise and encourage both you and others to render unto Cæsar whatever may belong unto Cæsar.

"I am, &c.,

JOHN JAY."

In answer to this letter the Commodore wrote me one, which, according to the state of facts mentioned in it, showed that the charge against him was precipitate, and, as he in that letter predicted, I have never since heard any thing further from the Minister on the subject.

You may recollect that copies of certain letters from Colonel Searle and Mr. Gillon, which I had just received, were subjoined to my letter of the 3d of October last. These letters were soon followed by several others. Colonel Searle's representations against the Commodore's conduct were very strong, and tended to create an opinion that the ship and public stores on board of her were in danger. He desired me to send some person to Corunna with proper instructions on the subject, and as an additional inducement offered to transmit to me through him some important information

which had been confidentially communicated to him in Holland by Mr. Adams, and which he did not choose to hazard by a common conveyance.

Considering the nature of these representations, and the limits and objects of my commission and instructions, it became a difficult question how far I ought, and in what manner I could interfere. I finally judged it would not be improper to send Mr. Carmichael down with instructions to make a full inquiry into the facts alleged against the Commodore, and to use my influence with this Government to stop the vessel for the present, in case on such inquiry there should arise a very strong presumption that such a step would be necessary to preserve her. Mr. Carmichael did not think that a business of this kind was within the duty of his appointment, and he doubted his being able to ride post so far. This was a delicate business, and the management of it could with propriety be only committed to one in whose prudence and circumspection much confidence might be reposed. It would have been improper for me to have undertaken it, because I could not justify exposing by my absence our negotiations for aids and a treaty to unseasonable delays.

Soon afterwards I received a very long exculpatory letter from the Commodore. This letter placed his transactions in a different point of view, and inclined me to think that the proposed interposition on my part would have been unnecessary.

I forbear burthening these despatches with copies of the various letters I have received and written on this subject, as well because as they relate to transactions in Holland and France with the public agents and Ministers in those countries, they are not properly within my province, as because they contain nothing of sufficient importance to make it necessary for me again to send further copies.

You will be pleased to observe that my last letter to the Minister was dated the 9th of October, and that there is a paragraph in it soliciting his speedy attention to the affairs on which he had promised to write to me. I received no answer. Some weeks elapsed and the same silence continued.

I consulted the Ambassador of France as to the propriety of my going to the Escurial and endeavoring to prevail upon the Minister to proceed in our affairs, observing that the measures of Spain with respect to us might be important, if not to this, yet to the next

campaign, and that the sooner they were decided, the better enabled Congress would be to regulate their future operations. He was of opinion, that as the Minister had promised to give me notice of the time when he would be able to transact these affairs with me, it would be most prudent to wait with patience somewhat longer, and not by an appearance of too great solicitude, to give him uneasy sensations. All things considered, this advice appeared to me discreet, and I followed it.

Thus the month of October produced nothing but expectation, suspense, and disappointment.

About this time M. Gardoqui mentioned to me a singular ordinance which occasioned, and is explained in the following letter from me to the Minister, viz:

“ Madrid, October 28th, 1781.

“ Sir,

“ M. Gardoqui informs me that his Majesty was pleased, in the month of March last, to order, ‘ that when a prize taken by a French or Dutch vessel should arrive in a port of Spain, the marine judge of the district should reduce to writing the evidence of the capture, and deliver it to the French or Dutch consul, (as the case might be.) to be by him transmitted to the Admiralty, from whence the commission of the captors issued in order that the legality of the capture might there be tried; and further, that the sentence which might there be passed should, on being duly certified to the aforesaid judge, be executed under his direction.’ I am also informed, that on the 12th instant his Majesty was pleased to extend the abovementioned order to prizes taken by American vessels-of-war, and sent into any of the ports of Spain.

“ So far as this order affects the United States of America, I take the liberty of representing to your Excellency that the execution of it will necessarily be attended with the following inconveniences:

“ 1st. The distance of America from Spain is so great, and the intercourse between the two countries rendered so precarious by the war, that many months must unavoidably elapse before the sentence of an American Court of Admiralty can be obtained and executed here.

“ 2dly. That by these delays all cargoes, or parts of cargoes, which may be of a perishable nature will be lost, and the value of the vessel and rigging greatly diminished.

“3dly. That as his Majesty has not as yet been pleased to grant the United States the privilege of having consuls in his ports, it is not in their power to provide for the transmission of the evidence of captures in the manner specified in the abovementioned order.

“4thly. That in case the prize should be claimed as a neutral vessel, the claimants must either prosecute their claim in America, or the sentence given there could not be influenced by it; and yet it is more probable, that those claimants would endeavor to avoid that expense and trouble, by applying here for an order to suspend the execution of the sentence, as well as for a trial of the merits of their claim by a Spanish tribunal. In which case, the same cause would become subject to two jurisdictions, and tried by two different independent courts, in two different countries.

“This order not being published, it is possible that my information respecting it may not be right in all its parts; though I have reason to believe, from the usual accuracy of M. Gardoqui, (from whom I received this information,) that I am not mistaken.

“There is at present an American prize at Bilboa, and all judicial proceedings respecting it are now at a stand.

“The importance of this subject to the United States, and in some measure to the common cause, will, I hope, apologize for my troubling your Excellency with these remarks, and for requesting that the embarrassments in question may be removed in such a manner as may be most agreeable to his Majesty.

“I have the honor to be, &c.,

JOHN JAY.”

To this letter I never received any answer whatever. After waiting six or eight days, I asked M. Gardoqui, who almost daily applied to me on the subject, what could be the reason of so much delay in a case that admitted of so little doubt. He said he could only account for it by supposing that the Minister had sent for the original order, to prevent mistakes. I asked whether these royal orders were not regularly recorded at the time they were issued. He told me they were not.

For my own part, I rather suspect that this order treated us as an independent nation, and that the Minister found it difficult to establish any general regulations respecting our prizes or commerce, without meeting with that obstacle. M. Gardoqui informed me that one of the Judges permitted him to read it, but would not let

him take a copy of it, and that it only contained an extension to American prizes of the regulations before ordained for Dutch and French ones.

As to the prize at Bilboa, a particular order was issued in that case for selling the ship and cargo, on the captors giving security to produce, within a year, an exemplification of a sentence of an American Court of Admiralty to justify it.

On the 5th of November, M. Gardoqui communicated to me certain letters and papers, from which it appeared that the Cicero, Captain Hill, had been stopped at Bilboa, by an order of the Minister, on a charge of improper conduct towards one of the King's cutters. Upon this subject I wrote the following letter to the Count de Florida Blanca, viz :

“ Madrid, November 6th, 1781.

“ Sir,

“ It gives me much concern to be informed that the conduct of Captain Hill, of the Cicero, an American private ship of war, towards one of his Catholic Majesty's cutters, has been so represented to your Excellency as to have given occasion to an order for detaining him at Bilboa.

“ This unfortunate affair is represented to me as follows :

“ That Captain Hill, with a prize he had taken, was going from Corunna to Bilboa. That in the night of the 26th of October last, he discovered an armed vessel approaching the prize. Captain Hill, suspecting it to be a Jersey privateer, hailed her, and ordered her to send her boat on board. They answered in English that their boat was out of repair. This circumstance increased his suspicions that she was an enemy, and induced him to insist on their sending a boat on board ; which not being complied with, he was persuaded it was an enemy, and accordingly gave them a broadside. Upon this they sent a boat to the Cicero, and convinced Captain Hill that the vessel was a Spanish cutter.

“ If this is really a true state of the fact, and I have reason to believe it is, I am persuaded that your Excellency will not think Captain Hill's conduct was unjustifiable, or contrary to the common usage in such cases. Having a valuable prize under his care, it was his duty to protect it, and as it was impossible for him at night to discover an enemy from a friend in any other manner than the one

he used, the Captain of the cutter certainly appears to have been remiss in not sending out his boat at first as well as at last.

“Both the Cicero and her prize now lie at Bilboa, laden with valuable cargoes, and expected to sail from thence for North America on the 16th instant. The privateer alone has one hundred and forty men on board, and should they not be permitted to sail at the time appointed, a very considerable expense must inevitably be incurred, because they would be obliged to wait for the next spring tides.

“As no American vessel can have the least temptation to violate the rights of Spain, but as, on the contrary, it is the well known interest, as well as disposition, of the United States to cultivate the friendship of his Catholic Majesty, I am convinced that there was not, in this case, the least intention of disrespect to the Spanish flag. Permit me therefore to hope that your Excellency will be pleased to permit the departure of these vessels by a general order, or on Captain Hill’s giving security for the payment of such damages as he may become chargeable with, on the issue of a judicial inquiry into this transaction.

“I assure your Excellency that no citizen of America will be countenanced by the United States in any improper conduct towards his Catholic Majesty, or any of his subjects, and if I had the least reason to think that Captain Hill was in this predicament, it would give me much more pleasure to hear of his being punished than released.

“I have the honor to be, &c.,

JOHN JAY.”

The Count’s answer to the above :

Translation.

“The Count de FLORIDA BLANCA has the honor to present his compliments to Mr. Jay, and to assure him that the information he has received relative to the affair of the Cicero privateer, as set forth in his letter of the 6th instant, is not correct, the Count having received from persons of respectability and entirely worthy of credit very accurate statements. It is therefore necessary that some suitable satisfaction should be given, in order to serve as an example to restrain the Captains of the American privateers within proper bounds. This is the more necessary, as it is not the first time that

we have had reason to complain of their conduct and to demand reparation.

“ St. Lorenzo, November 8th, 1781.”

Reply to the above Note.

“ Madrid, November 12th, 1781.

“ Sir,

“ I have received the letter which your Excellency did me the honor to write on the 8th instant.

“ It gives me pain to hear that the conduct of an American vessel of war should be so reprehensible as that of the Cicero has been represented to be. It is proper that I should inform your Excellency that the captains of all American private ships of war give bond with sureties to fulfil the instructions they receive with their commissions; and that these instructions enjoin them to behave in a proper manner towards friendly nations.

“ As the honor and interest of the United States render it highly necessary that their officers and citizens should, upon all occasions, pay the most scrupulous regard to the rights of other nations, I must request the favor of your Excellency to communicate to me a state of the facts charged against Captain Hill, that by being transmitted immediately to America, Congress may be enabled to take such measures relative to him as to deter others from the commission of the like offences.

“ Your Excellency would also oblige me by informing me how the satisfaction demanded of Captain Hill is to be ascertained, and to whom it is to be paid. As his remaining much longer in his present situation would be a great loss to his owners, I wish, for their sakes, that he may be released as soon as possible; and I am persuaded that your Excellency will not think it necessary to detain him longer than until the satisfaction in question can be ascertained and paid.

“ I greatly regret that other American privateers have also given occasion to complaints. I assure your Excellency that nothing on my part shall be wanting to prevent the like in future, and I am sure that Congress would consider themselves obliged, by your Excellency's putting it in my power to convey to them exact details of any complaints against their officers.

“ I have the honor to be, &c.,

JOHN JAY.”

Much reason has been given me to believe that the hard proceedings against Captain Hill were not justifiable, and the Minister's declining to furnish me with a state of the facts supposed to be alleged against him speaks the same language. What intelligence the Count may have respecting this misconduct of any other of our armed vessels, I know not, nor have I heard any other insinuations of that kind, except what are contained in his note.

The Count omitted to take any notice of my last letter on this subject, and it was not before the 26th of November, that the matter was determined by the order alluded to in the following polite letter :

Translation.

“My dear Sir,

“From respect to your Excellency and to the American Congress the King has determined that Captain Hill, on satisfying, or giving security to satisfy, the damage he has done to one of our vessels, on account of which he is detained, shall be at liberty to return to his country when he pleases. For this purpose I communicate the enclosed order to the Corregidor of Bilboa, and repeating myself to be at the service of your Excellency, I pray God to preserve you many years.

“COUNT DE FLORIDA BLANCA.”

The next day I sent the Count some American papers, which had just come to hand, and enclosed them with a card, in which there was this paragraph :

“Mr. Jay has received the letter which his Excellency did him the honor to write yesterday by M. Gardoqui, and is greatly obliged by the permission granted to Captain Hill to depart, as well as by the polite terms in which that circumstance is communicated to Mr. Jay.”

As further remonstrance on this subject would have been useless, I thought it best to appear satisfied, and not, by any expressions of discontent, to hazard new obstacles to the attainment of our more important objects.

I must now return to the old subject. Although the Count had been some weeks at the Escorial, and I had in vain waited with great patience for the letter which the Minister had promised to write to

me on leaving St. Ildefonso, yet as many bills would become payable in December, and I was unprovided with funds, I thought it high time to remind the Minister of my situation.

I therefore wrote him the following letter:

“Madrid, November 16th, 1781.

“Sir,

“I find myself constrained to beseech your Excellency to think a little of my situation. Congress flatter themselves that the offers they have made would certainly induce his Majesty at least to assist them with some supplies. The residue of the bills drawn upon me remain to be provided for. Those payable in the next month amount to thirty-one thousand eight hundred and nine dollars. Would it be too inconvenient for your Excellency to lend us this sum? Before January, when further bills would become payable, your Excellency may probably find leisure to give me an answer respecting our propositions. The time presses; I entreat your Excellency’s answer. I can only add, that I am, with great consideration and respect, &c.,

“JOHN JAY.”

To this letter I never received any answer, and it is remarkable, that the Count’s subsequent letter of the 26th of November, announcing the permission given to Captain Hill to depart, does not take the least notice of it. Whatever might be the Minister’s real intentions, as to furnishing me with the funds necessary to pay the bills to become due in December, it appeared to me imprudent to neglect any means in my power to provide for the worst. I therefore apprized Dr. Franklin (to whom I am under great obligations and have given much trouble) of my hazardous situation by the following letter:

“Madrid, November 21st, 1781.

“Dear Sir,

“It seems as if my chief business here was to fatigue you and our good allies with incessant solicitations on the subject of the ill-timed bills drawn upon me by Congress. It is happy for me that you are a philosopher, and for our country that our allies are indeed our friends. *Amicus certus in re incerta cernitur.*

“This Court continues to observe the most profound silence respecting our propositions.

“I cannot as yet obtain any answer to any of my applications for aids. Heretofore the Minister was too sick or too busy. At present his Secretary is much indisposed. I have requested that he would lend us for the present only as much as would satisfy the bills of December, viz., thirty-one thousand eight hundred and nine dollars; no answer. What is to be done? I must again try and borrow a little, and, as usual, recur to you. Thank God, no new bills arrive; if they did, I should refuse to accept them; only a few straggling old ones now and then appear.

“Would not the Court of France, on your representing this matter to them, enable you to put an end to this unhappy business? Thirty thousand pounds sterling would do it. I am sure the evils we should experience from the protest of these bills would cost even France a vast deal more. You see my situation; I am sure I need not press you to deliver me from it if in your power.

“I cannot yet believe, that all the assurances of this Court will vanish into air. I still flatter myself that they will afford us some supplies, though not in season. I think we might very safely offer to repay the French Court the proposed sum in America, for surely Congress would not hesitate to prefer that to the loss of their credit.

“I enclose a newspaper, which gives us reason to indulge the most pleasing expectations. God grant they may be realized. I have a letter from Mr. Gerry, dated at Marblehead, the 9th of October. He was then in daily expectation of hearing that Lord Cornwallis and his army were our prisoners. He describes the last harvest as very abundant, and the general state of our affairs as very promising; much more so, indeed, than ever they have been.

“I am, &c., &c.,

JOHN JAY.”

This letter was conveyed by a courier of the French Ambassador. I did not choose, by putting it in the post office, to give this Court an opportunity of knowing that I was endeavoring to obtain a credit for the sum in question, lest that circumstance might become an additional motive with them to withhold their assistance.

In short, sir, the whole month of November wore away without my being able to advance a single step. M. Del Campo's illness afforded a tolerable good excuse for delay during the latter part of November and the first three weeks in December.

On the 1st of December I found myself without any answer from

Dr. Franklin, with many bills to pay, and not a farthing in bank. M. Cabarrus, fortunately for me, was willing as well as able to make further advances, and to him I am indebted for being relieved from the necessity I should otherwise have been under, of protesting the bills due in that month.

The Court removed from the Escorial to Madrid without having bestowed the least attention either on the propositions or different memorials on commercial matters, which I had submitted to the Minister.

It was natural to expect that our successes in Virginia would have made a very grateful impression on this Court; but I am far from being persuaded that they considered these events as favorable to their views. Of this, some judgment may be formed from their subsequent conduct.

On the 6th of December I sent the Minister the following card, and a memorial from Mr. Harrison, at Cadiz, the nature of which will be best explained by a recital of it.

“Mr. JAY presents his compliments to the Count de Florida Blanca, and has the honor of requesting his attention to the enclosed memorial.

“Mr. Jay had the honor of calling at his Excellency’s on Tuesday evening last, but had the misfortune of not finding him at home. As Mr. Jay wishes to regulate his visits by his Excellency’s convenience, he begs the favor of his Excellency to inform him when it would be agreeable that Mr. Jay should wait on his Excellency, and have an opportunity of conversing with him on the object of Mr. Jay’s mission.”

The answer I received to the letter, which accompanied this memorial, is as follows:

Translation.

“The Count de FLORIDA BLANCA will receive Mr. John Jay whenever he may please to come, in the evening at half past seven or later, in his Secretary’s office in the Palace, except on Saturday evening next, when he will be engaged.”

This note was not dated, but I received it the 7th of December.

On the same day I received a letter from General Washington, dated the 22d of October, and enclosing copies of the articles of capitulation of Yorktown, and returns of prisoners, &c.

This letter was brought to France by the frigate, which carried there the first intelligence of that important event, and yet it is remarkable that it did not reach me until after these articles had been published in the Paris and Madrid gazettes. I nevertheless immediately sent copies to the Minister.

As to Mr. Harrison's memorial, no answer has been given it to this day. Nor indeed have any of the representations I have hitherto made to the Ministers relative to commercial grievances procured the least redress. Even the hard case of the Dover cutter still remains unfinished, notwithstanding my repeated and pressing applications on behalf of the poor captors. It is now more than a year since the Minister promised me that the cutter should be immediately appraised, and the value paid to the captors, one of whom afterwards came here, and after waiting two or three months returned to Cadiz, without having received any other money than what I gave him to purchase his daily bread.

As the Minister could not see me on Saturday evening, it was not till Monday evening, the 10th of December, that I had an opportunity to converse with him.

He began the conversation by observing that I had been very unfortunate, and had much reason to complain of delays, but that they had been unavoidable. That M. Del Campo had been appointed near three months ago to treat and confer with me; that shortly after the Court removed from St. Ildefonso that gentleman's health began to decline; and that his indisposition had hitherto prevented his attending to that or any other business, but that he hoped by the time the Court should return from Aranjues (to which the King was then about to make a little excursion) he would be able to proceed on it, and that he should have the necessary instructions for the purpose.

I told the Count that these delays had given me great concern, and that I was very solicitous to be enabled to give Congress some positive and explicit information on the business alluded to. He replied that I must now confer on those subjects with M. Del Campo, for that for his part his time and attention were so constantly engaged by other matters, that he could not possibly attend to this,

especially while at Madrid, when he always enjoyed much less leisure than at the Sitios. He then proceeded to congratulate me on our late successes in Virginia; he assured me that the King rejoiced sincerely in those events, and that he himself was happy to see our affairs assume so promising an aspect. I was about to descend to particulars, and to remind the Count of the various memorials, &c., which still remain to be considered and despatched, when he mentioned he was engaged for the rest of the evening in pressing affairs. This intimation put an end to the conference.

It is somewhat singular that M. Del Campo should have been appointed near three months past to treat and confer with me, and yet I should be left all that time without any information of it. It shows that the King is ready to do what may depend upon him, but that his Ministers find it convenient to interpose delays without necessity, and without even the appearance of it.

After the King's return from Aranjues, I took an opportunity of asking M. Del Campo when I might promise myself the pleasure of commencing our conferences. He replied that his health was not as yet sufficiently reëstablished to permit him to do business. The fact, however, was otherwise.

On the 27th of December, I again waited on him for the same purpose. He told me it was very uncertain when our conferences could commence, and that he must first converse with the Count on the subject. I asked him whether he had not received his instructions. He answered that he had not, for that they were not as yet completed, nor indeed as he believed as yet begun.

In this state things remained during the whole time the Court continued at Madrid. Above a month since the date of my letter to Dr. Franklin about our bills had elapsed without an answer, nor had any prospect of obtaining aids here opened. I therefore wrote him the following letter:

“ Madrid, December 31st, 1781.

“ My dear Sir,

“ I learn from the Marquis d'Yranda, that my letter of the 21st ultimo has reached you. The want of a good opportunity has for some time past prevented my writing to you so particularly as I could have wished.

“ Things remain here exactly in *statu quo*, except that your aid daily becomes more necessary, and will soon be indispensable.

These are matters that require no explanation. I have received two letters, dated the 22d and 26th of November, from Mr. Adams, on the subject of certain instructions, passed the 16th of August, which he had lately received, and of which I was ignorant until the arrival of these letters. I think them wise. A courier from France arrived here two days ago; by his return I hope to write you particularly, &c.

"I am, &c.,

JOHN JAY."

On the 11th of January, I wrote the following letter to the Doctor, by the Ambassador's courier:

"Madrid, January 11th, 1782.

"Dear Sir,

"The last letter I had the pleasure of writing to you was dated the 31st ultimo, and referred to a former one of the 21st of November last, in which I stated my difficulties on account of the bills, the improbability of my obtaining any relief here, and consequently the necessity I was under of recurring to your interposition to save them from protest.

"I have not as yet been favored with your answer. I can readily conceive that this affair has added not a little to your embarrassments, and therefore I lament, not complain of the delay. I borrowed from M. Cabarrus about thirty thousand dollars. He is not perfectly easy, and I have no prospect of borrowing more from him or others, at least without assurances of speedy repayment, which I am not in capacity to give. The Court indeed owes me, on their old promise of one hundred and fifty thousand dollars, a balance of about twenty-five thousand six hundred and fifteen dollars, but I have no reason to rely on receiving it soon, if at all.

"I also begin severely to feel the want of my back salary. It is in vain for me to expect it from America, and unless you can supply it, it will be necessary for me immediately to disencumber myself of most of my expenses, and confine myself to mere necessities, until a change may take place for the better. This circumstance conspires, with those of a more public nature, to make me very solicitous to know what you can or cannot do for me

"As to the affairs of the negociation, they have not advanced since Major Franks left me. The Minister is too sick, or too busy, to attend to American affairs. He refers me to M. Del Campo, who

has been named for the purpose, and when I apply to him, he tells me that his instructions are not yet completed, and that he cannot tell when they will be.

“I am, &c.,

JOHN JAY.”

I must, however, do the Minister the justice to say, that for some little time then past, and during the whole month of January, I have good reason to believe that he was greatly and constantly engaged in pressing business, for on speaking several times during that period to the Ambassador of France about the delays I experienced, and the propriety of pressing the Minister to pay some attention to our affairs, he repeatedly told me that he knew the Minister to be then extremely hurried, and advised me not to make any application to him for the present.

On the 26th of January, 1782, agreeably to a previous appointment, I had a long conference with the Ambassador of France. I entered into a detail of the various pretexts and delays, which the Minister had used to avoid coming to any decision on our affairs, and made some remarks on their keeping me suspended at present between the Count's incapacity to do business, and M. Del Campo's want of instructions.

I reminded the Ambassador that the fate of the bills drawn upon me was a serious subject, and if protested might eventually prove injurious to France and Spain, as well as America, and that though France had already done much for us, yet that it still remained a question of policy whether it would not be more expedient for her to advance about thirty thousand pounds sterling to save these bills, than risk the expensive evils which the loss of our credit might occasion even to her. The Ambassador seemed to admit this, but was apprehensive that the great and pressing demands for money caused by the great armaments which France was preparing to send to different parts of the world, would render such an advance very inconvenient, if not impracticable.

I recapitulated in the course of the conference the various ill consequences which might result from protesting these bills. Among others, I hinted at the necessity I should be under of assigning to the world in those protests the true reasons which had occasioned them, viz: that I had placed too great confidence in the assurances of his Catholic Majesty. The Ambassador objected to this as highly

imprudent, and as naturally tending to embroil the two countries, which was by all means to be avoided, even though I could make good the assertion. I then enumerated the various assurances I had at different times received from the Minister, adding, that whatever might be the consequence, I should think it my duty to pay a higher regard to the honor of the United States, than to the feelings of a Court by whose finesse that honor had been drawn into question.

There was also another circumstance, to which I desired him to turn his attention, viz: that as our independence had not been acknowledged here, the holders of the bills might commence actions against me on them; and that it was easy to foresee the embarrassments which would result to all parties from such a measure. The Ambassador saw this matter in the same point of view.

It appeared to me useful to take a general view of the conduct of Spain towards us ever since my arrival, and to observe the natural tendency it had to encourage our enemies, impress doubts on the minds of our friends, and abate the desire of Congress to form intimate connexions with Spain; and that this latter consequence might become interesting also to France, by reason of the strict alliance subsisting between the two kingdoms.

I begged the favor of him to give me his candid advice what would be most proper for me to do. He confessed that he was perplexed, and at a loss what to advise me to; he hoped that the Dutch loan would enable Dr. Franklin to make the advances in question, and that though he could not promise any thing from his Court, yet that he would write and do his best. He advised me to give the Doctor a full statement of our affairs here; but that I had already done, by giving him the perusal of my letters to Congress of the 3d of October, &c.

He said he had written to the Count de Vergennes about the delays and embarrassments I had met with, and that he received for answer, "that Spain knew her own business and interest, and that France had no right to press her on such points."

The Ambassador advised me by all means to continue patient and moderate, and to cherish the appearance of our being well with this Court. I observed to him that one protested bill would dissipate all these appearances. He said that was very true; that he saw difficulties on every side, and that he really pitied my situation, for that these various perplexities must keep me constantly in a kind of

purgatory. I told him if he would say mass for me in good earnest, I should soon be relieved from it ; he renewed his promise to write, and we parted.

The next day, viz., 27th of January, I received the following letter from Dr. Franklin :

“ Passy, January 15th, 1782.

“ Dear Sir,

“ Mr. Grand tells me, that he hears from Madrid you are uneasy at my long silence. I have had much vexation and perplexity lately with the affair of the goods in Holland, and I have so many urgent correspondences to keep up, that some of them at times necessarily suffer. I purpose writing fully to you next post. In the mean time I send the enclosed for your meditation. The ill timed bills, as you justly term them, do us infinite prejudice ; but we must not be discouraged.

I am ever, with the greatest esteem, &c.,

B. FRANKLIN.

The paper above mentioned to be enclosed, is in these words :

Translation.

Count de Vergennes to B. Franklin.

“ Versailles, December 31st, 1781.

“ Sir,

“ I have received the letter you did me the honor to write me the 27th instant. I shall not enter into an examination of the successive variations and augmentations of your demands on me for funds to meet your payments. I shall merely remark, that whenever you shall consider yourself fully authorised to dispose of the proceeds of the Dutch loan, on behalf of Congress, I will propose to M. de Fleury to supply you with the million required, as soon as it shall have been paid into the royal treasury. But I think it my duty, sir, to inform you, that if Mr. Morris issues drafts on this same million, I shall not be able to provide for the payment of them, and shall leave them to be protested. I ought also to inform you, that there will be nothing more supplied than the million above mentioned, and if the drafts, which you have already accepted, exceed that sum, it must be for you to contrive the means of meeting them. I shall

make an exception only in favor of those of Mr. Morris, provided they shall not exceed the remainder of the Dutch loan, after deducting the million, which shall be placed at your disposal, and the expenses of the loan.

“I have the honor to be, &c.,

DE VERGENNES.

“P. S. I remit to you herewith the letter of Mr. Grand.”

Although this letter of Dr. Franklin does not in express terms promise me the aid I had desired, yet the general tenor of it, together with the grant of the million mentioned by the Count de Vergennes, led me to suppose, that on the receipt of it he would be able to make me the necessary advances. Under this idea I returned the following answer to the Doctor's letter :

“Madrid, January 30th, 1782.

“My dear Sir,

“I had yesterday the satisfaction of receiving your favor of the 15th instant. You will find by a letter, which I wrote you on the 11th instant, that I imputed your silence to its true cause, being well persuaded that the same attention you have always paid to the public affairs in general, would not be withheld from those which call for it in this kingdom.

“I am happy to find that you have a prospect of terminating the difficulties which the bills drawn upon me have occasioned, and though I cannot but observe that Count de Vergennes's letter is peculiarly explicit and precise, yet I must confess I should not have been surprised if it had been conceived in terms still less soft. Would it not be well to transmit a copy of it to Congress? France has done and is still doing so much for us, that gratitude, as well as policy, demands from us the utmost moderation and delicacy in our applications for aids; and considering the very singular plan of drawing bills at a venture, I think we have no less reason to admire the patience, than to be satisfied with the liberality of our good and generous allies.

“M. de Neufville had given me a hint of the embarrassments occasioned by the affair of our goods in Holland.

“It seems as if trouble finds its way to you from every quarter. Our credit in Holland leans upon you on the one hand, and in Spain on the other. Thus you continue, like the key-stone of an arch,

pressed by both sides and yet sustaining each. How grateful ought we to be to France for enabling you to do it.

“Mr. Joshua Johnson, in a letter dated the 18th instant, mentions the arrival at Nantes of the brig Betsey from Philadelphia, that she brought letters for me, and that the captain put them in the post office. None of them have as yet reached me.

“I have received too many unequivocal proofs of your kind attention, to render a punctilious return of line for line necessary to convince me of it. Let such ideas, therefore, be banished, and be assured that matters of ceremony and etiquette can never affect the esteem and affectionate regard with which I am, &c., &c.,

“JOHN JAY.”

Not having heard anything further from M. Del Campo respecting his instructions, I wrote him on that subject as follows:

“Madrid, February 1st, 1782.

“MR. JAY presents his compliments to M. Del Campo, and requests to be informed whether he has as yet received the instructions necessary to enable him to execute his appointment relative to the affairs of the United States at this Court.

“Mr. Jay begs leave again to mention his being ready and anxious to enter, with M. Del Campo, into the discussion of these affairs at any time and place that may be agreeable to him.”

On the 5th of February, I received the following answer:

Translation.

“M. DEL CAMPO has the honor to address his compliments to Mr. Jay, and to transmit him several bundles of letters which he has just received. He regrets that he is obliged to inform Mr. Jay that the Count, by reason of the delicate state of his health, and other difficulties, has not yet been able to arrange the instructions under consideration.

“The Pardo, February 3d, 1782.”

The packets mentioned in the above note were the first public letters I have had the honor of receiving from you.

I afterwards found that these despatches were brought to Cadiz

from Philadelphia by the brig Hope. How they came into M. Del Campo's hands I am not informed. On the same day (February 5th, 1782) I received a letter from Dr. Franklin, which almost entirely dissipated my hopes of aid from him. The following extract from it contains every part of it, except a few paragraphs that have no relation to our affairs here.

“Passy, January 19th, 1782.

“Dear Sir,

“In mine of the 15th, I mentioned my intention of writing fully to you by this day's post. But understanding since that a courier will soon go from Versailles, I rather choose that conveyance.

“I received duly your letter of November 21st, but it found me in a very perplexed situation. I had great payments to make for the extravagant and very inconvenient purchase in Holland, together with large acceptances by Mr. Adams of bills drawn on Mr. Laurens and himself, and I had no certainty of providing the money. I had also a quarrel upon my hands with Messrs. de Neufville and others, owners of two vessels hired by Gillon to carry the goods he had contracted to carry in his own ship. I had worried this friendly and generous Court with often-repeated after-clap demands, occasioned by these unadvised, (as well as ill advised,) and, therefore, unexpected drafts, and was ashamed to show my face to the Minister. In these circumstances I knew not what answer to make you. I could not encourage you to expect the relief desired, and, having still some secret hope, I was unwilling to discourage you, and thereby occasion a protest of bills which possibly I might find means of enabling you to pay. Thus I delayed writing perhaps too long.

“But to this moment I have obtained no assurance of having it in my power to aid you, though no endeavors on my part have been wanting. We have been assisted with near twenty millions since the beginning of last year, besides a fleet and army; and yet I am obliged to worry them with my solicitations for more, which makes us appear insatiable.

“This letter will not go before Tuesday. Perhaps by that time I may be able to say explicitly yes or no.

“I am very sensible of your unhappy situation, and I believe you feel as much for me.

“You mention my proposing to repay the sum you want in America. I tried that last year. I drew a bill on Congress for

a considerable sum to be advanced me here, and paid there in provisions for the French troops. My bill was not honored.

"I was in hopes the loan in Holland, if it succeeded, being for ten millions, would have made us all easy. It was long uncertain. It is now completed. But, unfortunately, it has most of it been eaten up by advances here. You see, by the letter of which I sent you a copy, upon what terms I obtain another million of it. That (if I get it) will enable me to pay the thirty thousand dollars you have borrowed, for we must not let your friend suffer. What I am to do afterwards, God knows.

"I am much surprised at the dilatory and reserved conduct of your Court. I know not to what amount you have obtained aids from it, but if they are not considerable, it were to be wished you had never been sent there, as the slight they have put upon our offered friendship is very disreputable to us, and, of course, hurtful to our affairs elsewhere. I think they are short-sighted, and do not look very far into futurity, or they would seize with avidity so excellent an opportunity of securing a neighbor's friendship, which may hereafter be of great consequence to their American affairs.

"If I were in Congress I should advise your being instructed to thank them for past favors, and take your leave. As I am situated, I do not presume to give you such advice, nor could you take it if I should. But I conceive there would be nothing amiss in your mentioning in a short memoir the length of time elapsed since the date of the secret article, and since your arrival; to urge their determination upon it, and pressing them to give you an explicit, definitive, immediate answer whether they would enter into treaty with us or not, and in case of refusal solicit your recall, that you may not continue from year to year, at a great expense, in a constant state of uncertainty with regard to so important a matter. I do not see how they can decently refuse such an answer. But their silence after the demand made should, in my opinion, be understood as a refusal, and we should act accordingly. I think I see a very good use that might be made of it, which I will not venture to explain in this letter.

"I know not how the account of your salary stands; but I would have you draw upon me for a quarter at present, which shall be paid, and it will be a great pleasure to me if I shall be able to pay up all your arrears.

“Mr. Laurens being now at liberty perhaps may soon come here, and be ready to join us if there should be any negociations for peace. In England they are mad for a separate one with us, that they may more effectually take revenge on France and Spain. I have had several overtures hinted to me lately from different quarters, but I am deaf. The thing is impossible. We can never agree to desert our first and our faithful friend on any consideration whatever. We should become infamous by such abominable baseness.

“With great and sincere esteem, I am ever, &c.,

“B. FRANKLIN.”

You will easily perceive, sir, that my situation now became very unpleasant; largely indebted to M. Cabarrus, and without funds, as well as almost without the hopes of speedily procuring any, either to satisfy him or pay the swarm of bills that would be payable in the next month.

M. Cabarrus had offered to advance, or rather to supply, me with any sum of money that the Minister would authorise him to furnish, on the same terms on which he procured money for the Government. The answer I received to this proposition was, that the Government had occasion for all the money that M. Cabarrus could possibly collect. He also repeatedly offered to advance the money wanted for the month of March if the Minister or the Ambassador of France would become responsible for the repayment of it, with interest, within a reasonable time, sometimes mentioning seven months, and at others extending it to ten or twelve. The Ambassador did not conceive himself authorised to enter into any such engagement, and the Minister remained silent; M. Cabarrus began to grow uneasy, and a day was appointed between us to confer on this subject. Some intervening business, however, prevented his attendance, and on the 10th of February he wrote me the following letter:

Translation.

“Madrid, February 10th, 1782.

“Sir,

“I was summoned yesterday to the Pardo, which prevented me from paying you my respects as I had intended. Not knowing whether I shall be able to do it before Tuesday, I write to inform

you that it will be necessary for me to know on what I am to depend in regard to the reimbursement you were to make me by drafts on Paris. You are aware that I have actually advanced seven hundred and fifty thousand reals vellon. Independently of this sum, on the 14th of March, which we are now approaching, nearly thirty-five thousand dollars of your bills will become due. I will not conceal from you that, although this double advance is neither beyond my means nor my disposition, yet the former is entirely absorbed by the necessities of the Government; so that I shall be the more desirous that you would enable me to meet these engagements, as I shall always find a difficulty in disposing of your paper. I speak to you frankly, since I shall always endeavor, as I have heretofore done, to serve you in the same spirit.

“I have the honor to be, &c.,

CABARRUS.”

By way of answer to this letter I instructed Mr. Carmichael to inform M. Cabarrus of the exact state I was in, with respect to my expectations of aid both here and from France, for I did not choose to commit a matter of this kind in writing to M. Cabarrus's discretion. I could not give him positive assurances of being speedily repaid, either by a credit on Dr. Franklin or by money to be obtained here; but I submitted to his consideration the improbability that this or the French Court would permit these bills to be protested, and assured him that Dr. Franklin was using his best endeavors in our favor, and had so far succeeded as to encourage me to expect that he would soon be able at least to replace the sum which M. Cabarrus had already advanced to me.

The next day, viz., the 11th of February, I waited upon the Ambassador of France. I represented to him in the strongest terms the critical situation of our credit, and communicated to him the contents both of Dr. Franklin and M. Cabarrus's letters.

I requested him to speak seriously and pressingly to the Minister on the subject, and to remind him that M. Cabarrus's offer was of such a nature as to remove any objection that could arise from the low state of the public funds. The Ambassador was just then setting out for the Pardo. He promised to speak to the Minister accordingly, and that his Secretary, the Chevalier de Bourgoing, (who has been very friendly, and given himself much trouble on this occasion,) should inform me of the result in the evening.

I received in the evening the following letter from the Chevalier de Bourgoing, viz :

Translation.

“Sir,

“The dreadful weather to-day prevents me from coming to inform you orally what M. de Montmorin has to communicate to you in pursuance of his interview of this morning. I give you the result briefly.

“The Minister, being informed of your embarrassment, feels for you sincerely, and would be glad to remedy it. He will make every effort ; but as the actual necessities of the Government are pressing, he cannot answer for his success. He assures Mr. Jay that if the misfortune he apprehends should take place, Mr. Jay may be perfectly easy in regard to personal consequences, as the Minister will take care that no inconvenience shall follow it.

“I have thought that these few lines would serve to calm your apprehensions until M. de Montmorin shall have an opportunity to give you further information.

“I have the honor to be, &c.,

DE BOURGOING.”

I returned by the bearer of the above letter the following answer :

“Mr. JAY presents his compliments to the Chevalier de Bourgoing. The Minister’s answer to the Ambassador is polite and cautious, and if sincere (which time can only ascertain) will demand Mr. Jay’s thanks and acknowledgments.

“The Minister is mistaken if he supposes that Mr. Jay views personal consequences as of any other importance than as they may affect the political interests of the two countries ; and when considered in that light, they merit a degree of attention to which mere personal considerations could not entitle them.

“Mr. Jay requests the favor of the Chevalier to present his cordial acknowledgments to the Ambassador for his friendly interposition on this occasion, and to assure him that Mr. Jay will never cease to be influenced by the gratitude which every American owes to the first friend and steadfast ally of the United States.

“Madrid, February 11th, 1782.”

I also wrote this evening to Dr. Franklin, and I insert the following

extracts from the letter, because they contain matters proper for you to know :

“ Madrid, February 11th, 1782.

“ Dear Sir,

“ I have been so engaged these two days as not to have had time to reply fully to yours of the 19th ultimo.

“ I flattered myself that the loan in Holland would have afforded funds for all our bills and present demands, and am sorry to hear that this is not the case. Could not that loan be extended to a further sum ?

“ The conduct of this Court bears few marks of wisdom. The fact is, they have little money, less credit, and very moderate talents.

“ My ideas correspond exactly with yours respecting the propriety of presenting such a memoir as you propose. The Ambassador of France, however, is decided against it, and it appears to me imprudent to disregard his opposition.

“ I have not as yet received a single letter by or from the Marquis de la Fayette.

“ I am, &c.,

JOHN JAY.”

On the 15th of February the first advices of the surrender of Fort St. Philip arrived, and the Ambassador of France having been informed at the Pardo that M. Del Campo's instructions would be completed by the end of the week, I thought both these circumstances rendered it proper that I should pay the Minister a visit. I accordingly went to the Pardo the next evening. The Minister was too much indisposed (as was said) to see company. He sent me an apology, and a request that I would speak to M. Del Campo, who was then in the Secretary's office. I did so.

I found M. Del Campo surrounded by suitors. He received me with great and unusual civility, and carried me into his private apartment. I told him that as he was evidently very busy, I could not think of sitting down, and wished only to detain him a few minutes. He said that he was indeed much engaged, but that we might nevertheless take a cup of chocolate together. I mentioned to him in a summary way the amount of the bills which remained to be paid, and the promises made by the Minister to the Ambassador on that subject, desiring that he would be so obliging as to give that business all the despatch in his power. He replied that

the urgent demands of Government rendered advances of money very inconvenient. That the Minister had not mentioned to him any thing on that head, but that he would speak to him about it. I told him that as the greater part of these bills would be payable in March, I was anxious to see the arrangements for paying them speedily made. That my hopes were chiefly confined to this Court, for that France having this year supplied us with near twenty millions, besides a fleet and army, it would be unreasonable to ask for more. To this he remarked that France received from us with one hand (in the way of commerce) what she paid out with the other, whereas Spain was called upon for supplies without enjoying any such advantage. I told him if he had been more at leisure, it would have given me pleasure to have entered with him into the discussion of that point; I nevertheless observed that Spain was indebted to the American war for the recovery of West Florida and the possession of Minorca, and that the time would come and was approaching when Spain would derive essential benefit from our trade and independence. That he overrated the value of our commerce to France, which at present did not compensate for the expenses she sustained on our account.

I mentioned to him M. Cabarrus's offer in very precise terms, and told him I was glad to hear from the Ambassador that his instructions were nearly completed. He avoided saying whether they were or not, but answered generally that he hoped things would soon be settled to the satisfaction of all parties; that it would always give him pleasure to treat with me: that he was much my friend; that he esteemed my private character, and many such like compliments improper as well as unnecessary for me to commit to paper. He promised to speak to the Minister and to write me his answer. I desired him to present my congratulations to the Count, and to inform him how much I regretted the indisposition which prevented his seeing company that evening.

All this looked very fair, but experience had taught me that professions were sometimes insincere. On the 18th of February I communicated the substance of this conference to the Ambassador of France, requesting him to remind the Minister of his promise, and to press the importance of his performing it. The Ambassador promised to take every proper opportunity of doing it. On the 24th of February your letter by the Marquis de la Fayette arrived safe.

On the 25th of February I received the following letter from M. Cabarrus, viz :

Translation.

“ Madrid, February 25th, 1782.

“ Sir,

“ I have the honor to remit you herewith three accounts relative to the payments made for you, viz :

“ One of the 4th of October last, signed by the former house of Cabarrus and Aguirre, for payment of which I have credited you 46,447 reals vellon. A second, signed by me the 7th of November following, settled by 135,715-10 reals vellon, carried to your credit. A third signed also by me, dated the 19th instant, and balanced by 667,170-17 reals vellon, which I have credited you with. In support of these accounts, I transmit you the original vouchers, and beg you to proceed to the verification of both, to assure me of their reception and correctness. I flatter myself that you will take measures for my speedy reimbursement, and I ask it with the more urgency as I have a pressing necessity for this sum, on the payment of which I have relied.

“ I have the honor to be, &c.,

CABARRUS.”

This letter needs no comments ; it breathes the fears and precautions of a creditor striving to make the most of a failing debtor, and therefore I considered this letter as inauspicious. I returned a verbal answer, that an examination of these accounts must precede a settlement of them, and that as to a speedy payment of the balance due to him, he knew my exact situation.

A day or two before the date of this letter, M. Cabarrus had a conference with the Minister on these subjects, and according to M. Cabarrus's representations, the Minister then declared, that he would pay the balance due on the one hundred and fifty thousand dollars, and no more ; that the King was dissatisfied at America's having made no returns to his good offices, either in ships or flour, &c., &c. ; that he had mentioned to me a year ago his desire of having the men of war building in New England, but had not yet received an answer, &c.

It appeared to me very extraordinary, that the Minister should promise the Ambassador to do his best, and yet tell M. Cabarrus that he would do nothing, and yet so I believe were the facts.

The next morning, viz., 26th of February, I paid the Ambassador an early visit, and mentioned these circumstances to him minutely. I expressed my apprehensions that the pretended discontents of the King belonged to the same system of delays and pretexts with which we had been so long amused; and which in this instance were probably dictated by a desire of avoiding inconvenient advances.

I reminded him that Dr. Franklin had given me expectations of his being able to replace the money I had borrowed of M. Cabarrus, and that this sum, added to the balance to be paid by the Court, would reduce the remainder of the money wanted to less than twenty thousand pounds sterling; and that it would appear a little surprising in the eyes of Europe as well as America, that our credit should be permitted either by France or Spain to suffer essential injury for the want of such a sum. I requested him to advise me what to do. He said that he knew not what advice to give me; that he saw no resources any where; that he should dismiss a courier on Saturday next, and that he would again write to the Count de Vergennes on the subject. I observed to him, that the answer, if favorable, would probably come too late, as a great number of the bills would become payable about the 14th of March. He replied, that if the Court should resolve to supply the money, he should soon be informed of it.

We had some conversation about the Marquis de la Fayette. The Ambassador spoke well of him; and as a proof of the confidence of Congress in the attachment of that nobleman, I mentioned my having received orders to correspond with him.

I then drew the conversation to our affairs in Holland, and the prospects of an alliance with the Dutch. He said these prospects were less fair than ever; for that though Mr. Wentworth had been sent there by England on pretence of settling a cartel, yet that his real business was to negotiate a separate peace. I observed that in my opinion England would be the first nation to acknowledge our independence, (for there are many reasons that induce me to think that France does not in fact wish to see us treated as independent by other nations until after a peace, lest we should become less manageable in proportion as our dependence upon her shall diminish.) I threw out this opinion to see how it would strike him. He made a short pause, and then asked me if I had heard that Lord Germain

had resigned? I told him I had; and as he chose to waive the subject I did not resume it, lest he should from my pressing it suspect that I meant more than a casual remark. The conversation then turned upon our affairs here. I remarked that the friends of Spain in America must greatly diminish, that the manner we were treated by this Court was far from conciliatory, and that it would perhaps have been better as things have turned out, if America had not sent a Minister here. He gave in to this opinion, but added, we must be contented here now during the war; that Spain was necessary; that she was to be treated like a mistress. He also said, that if I had been landed in France instead of Spain, I should not probably have come to Madrid so soon as I did, and was going to explain himself, when the entry of his servants with breakfast interrupted us.

Having made it a rule to give Dr. Franklin frequent and minute information of my situation, I wrote him the following letter by the Ambassador's courier:

“ Madrid, March 1st, 1782.

“ My dear Sir,

“ I have lately received a very friendly letter from the Marquis de la Fayette, covering some despatches from Mr. Livingston. I find that the objects of his voyage are interesting to us, and that it is the desire of Congress that we should correspond with him. My answer to his letter is herewith enclosed. Peruse and dispose of it.

“ I have given him a summary account of my situation here; he will doubtless be willing and perhaps able to afford you assistance relative to the difficulties it imposes upon you.

“ The Minister has ordered the balance due (about twenty-six thousand dollars) on the one hundred and fifty thousand dollars, to be paid to M. Cabarrus on my account, and has through him informed me that no more is to be expected.

“ M. Cabarrus is exceedingly anxious about the money we owe him, and which the twenty-six thousand dollars he is to receive will not pay.

“ He declines making further advances. The Ambassador of France can afford me no resources. M. Cabarrus is ready to supply what we may want, on the promise of either France or Spain to repay him in ten or twelve months.

“The Ambassador will write (by a courier to France, who sets out to-morrow) on these subjects to the Court. All that remains in my power is to endeavor to keep the public creditors quiet until his or your final answer shall arrive. That this Court should permit our credit to be ruined for the want of about twenty-five thousand pounds sterling, does not greatly surprise me; but I should be astonished if the Minister of France should act the same part, for I have a high opinion of his wisdom.

“I am, &c.,

JOHN JAY.”

I forbear inserting my letter to the Marquis, because this and my former letters render it unnecessary. I solicited his immediate attention to the state of our bills, &c.

As there could be no doubt but that the Minister mentioned to M. Cabarrus the King's discontents, by way of apology for not granting further supplies, and with design that they should be represented to me in that light, I thought it prudent to write to the Minister on the subject, although, in other circumstances, it might have been more proper for me to have omitted taking notice of such an indirect communication. I wrote him as follows:

“Madrid, March 2d, 1782.

“Sir,

“M. Gardoqui informed me yesterday that he had received an order to pay to Mr. Cabarrus, on my account, twenty-six thousand dollars, being somewhat more than the balance due on the one hundred and fifty thousand dollars, and for which be pleased to accept my thanks and acknowledgments.

“As the residue of the bills drawn upon me by Congress does not amount to a great sum, and as M. Cabarrus had generously offered to furnish it, provided your Excellency would give him assurances of its being repaid in ten or twelve months, I had flattered myself that his Majesty's friendship for my country would have induced him, by this further proof of his goodness, to save the necessity I shall otherwise be under to protest them, and thereby ruin the credit of Congress at so critical a period.

“It is with great pain I hear his Majesty is displeased with the silence of Congress respecting returns, on their part, to the friendship of Spain, and particularly in not having offered to comply with the

propositions made by your Excellency relative to the ships building in New England, &c., &c.

“Permit me to observe to your Excellency, that the long and constant expectation of M. Gardoqui’s arrival in America, with full powers on these subjects, naturally induced Congress to postpone coming to any resolution on them until they should have the pleasure of seeing him. They were well apprized of my ignorance respecting such matters, and therefore could not, with any propriety, refer to my discretion the entering into engagements on subjects with which I was wholly unacquainted. I am authorised to assure your Excellency of the readiness of Congress to make every return in their power to the kindness of his Majesty, and there is reason to hope that, by the end of the next campaign, their abilities may be more proportionate to their wishes than they have hitherto been.

“Your Excellency will also be pleased to recollect, that the propositions of Congress respecting the Mississippi evince a strong desire to oblige his Majesty, and that reason has been given me to hope that their compliance in that instance would be followed by new proofs of his Majesty’s good disposition towards us.

“I must candidly confess to your Excellency, that I now find myself entirely without resources.

“The Ambassador of France can afford me no assistance, and my only remaining hope arises from that reliance on his Majesty’s friendship and magnanimity, which your Excellency has so often encouraged me to entertain and confide in.

“I have the honor to be, &c., &c.,

JOHN JAY.”

This letter, if I may use the expression, might have been higher mounted, and the strange conduct of this Court would have justified my writing in a different style, but I feared that offence might have been taken, though, perhaps, for no other purpose than to cover a refusal to aid us with a plausible pretext.

Although I had little confidence in M. Del Campo’s late professions of friendship, yet, as the present occasion afforded an opportunity of trying their sincerity, and as men ill disposed towards us are sometimes pushed into acts of friendship, merely by an opinion of their being thought friendly, I enclosed the above letter in the following note to him:

“Madrid, March 2d, 1782.

“Mr. JAY presents his compliments to M. Del Campo, and takes

the liberty of enclosing a letter to his Excellency the Count de Florida Blanca, which he requests the favor of him to deliver.

“M. Del Campo may not, perhaps, in future, have an opportunity of rendering a more welcome and interesting proof of his friendship for America than at present; and Mr. Jay will esteem his country and himself greatly obliged by M. Del Campo's friendly attention and interposition on this occasion.”

A week elapsed without my receiving any answer either from the Minister or M. Del Campo. The time when our bills would be due was drawing very nigh. My expectations of aid from France were at best uncertain, and every consideration urged me not to leave anything in my power undone here, to avoid the catastrophe I had so much reason to apprehend. I therefore concluded to wait on the Minister, and in a plain and pointed manner enter into a detail of the reasons given us to expect supplies from this Court, and the impolicy of withholding them.

For this purpose I went to the Pardo on the 9th of March.

The Minister received me with great cordiality; he was in uncommon good spirits. He entered largely into the nature of his indisposition; the effect of the weather upon his nerves, and how much he found himself the better for the last three fine days; and after we had conversed awhile about the conquest of Minorca, and the importance of it, he said he supposed that I wished also to speak to him on the subject of our affairs.

I told him that was really the case, for that the bills which remained to be paid, and the want of funds for the purpose, gave me great uneasiness. He interrupted me by remarking that he had ordered the balance due on the one hundred and fifty thousand dollars to be paid. That the public exigencies had even rendered this payment inconvenient, but that he was an honest man, a man of his word, and therefore, as he had promised me that sum, he was determined that I should not be disappointed. That as to further aids he could promise nothing *positively*, that he would *do his best*, and, shrugging his shoulders, intimated that he was not Minister of Finance.

I observed that the sum now wanted was not very considerable, and that M. Cabarrus's offer rendered the advancing of it very easy. He was in a very good humor; and after a few hesitations, he told

me cheerfully and smilingly, that when I found myself very hard pressed, I should desire M. Cabarrus to wait upon him.

This I considered as an implied consent to comply with M. Cabarrus's offer, in case such a step should become absolutely necessary to save our bills, and I imagined he chose to delay it as long as possible, in hopes that the French Ambassador might in the meantime interpose his credit, as he had before done on a similar occasion. I was content that the matter should rest there, and would not hazard losing what I thought I had gained by requiring more at present.

I thanked him for this mark of favor, and then turned the conversation to Major Franks's arrival, and my anxiety to communicate some certain intelligence to Congress relative to the proposed treaty, and what they might expect on that head.

The Count went into a detail of excuses for the delays which had ensued since our leaving St. Ildefonso. His indisposition and that of M. Del Campo, his forgetting to give M. Del Campo the papers, and M. Del Campo's neglecting to ask for them, were the chief topics from which these excuses were drawn. He said the Ambassador of France had talked to him about the matter eight days ago; and he promised me that the conferences should begin at Aranjues, to which place the Court would soon remove. He authorised me to communicate this to Congress, adding that pressing business obliged him to postpone it till then, though I might now begin to speak on the subject to M. Del Campo if I pleased.

I remarked that I had so often disappointed Congress by giving them reason soon to expect M. Gardoqui, that I wished to be enabled to give them accurate information on that point. He replied that a variety of particular circumstances had intervened to prevent his departure, but that he *certainly* should go unless he made personal objections to it, and that *I might tell Congress so*.

I rose to take my leave. *He repeated what he had before said respecting my sending M. Cabarrus to him*, and assured me of his disposition to do what he could for us. I again thanked him, and we parted in great good humor.

It is remarkable that during the course of this conference, which was free and diffusive, the Minister did not mention a syllable of the King's discontents, nor hint the least dissatisfaction at the conduct of Congress towards this Court. I cautiously avoided

making any harsh strictures on the delays I constantly met with, and though the Minister's excuses for them were frivolous and merely ostensible, yet it could have answered no good purpose to have declared that opinion of them, especially at so delicate a period of our affairs.

As many bills to a considerable amount would be payable on the 14th of March, I thought it high time that the Minister should declare his intentions at least a day or two before, and therefore I desired M. Cabarrus to wait upon the Minister, and confer with him on the subject. M. Cabarrus accordingly went to the Pardo on the evening of the 11th of March. He saw the Minister and mentioned the purpose of his visit. The Minister said I must have misunderstood him; that it was not until the last extremity that I was to send him, and he desired M. Cabarrus to inform him when that should arrive. M. Cabarrus repeated to me his former offers, and assured me that nothing on his part should be wanting.

The Madrid Gazette of the 12th of March contained a paragraph of which you ought not to be ignorant. I shall, therefore, copy it *verbatim*, and add a translation as literal as I can make it:

“By a letter from the Commandant General of the army of operations at the Havana, and Governor of Louisiana, his Majesty has advices that a detachment of sixty-five militia men and sixty Indians of the nations Otaguos, Sotu, and Putuami, under the command of Don Eugenio Purre, a captain of militia, accompanied by Don Carlos Tayon, a sub-lieutenant of militia, by Don Luis Chevalier, a man well versed in the language of the Indians, and by their great chiefs Eleturno and Naquigen, who marched the 2d of January, 1781, from the town of St. Luis of the Illinois, had possessed themselves of the post of St. Joseph, which the English occupied at two hundred and twenty leagues distance from that of the abovementioned St. Luis, having suffered in so extensive a march, and so rigorous a season, the greatest inconveniences from cold and hunger, exposed to continual risks from the country being possessed by savage nations, and having to pass over parts covered with snow, and each one being obliged to carry provisions for his own subsistence, and various merchandizes which were necessary to content, in case of need, the barbarous nations through whom they were obliged to cross. The commander, by seasonable negotiations and precautions, prevented a considerable body of Indians, who

were at the devotion of the English, from opposing this expedition ; for it would otherwise have been difficult to have accomplished the taking of the said post. They made prisoners of the few English they found in it, the others having perhaps retired in consequence of some prior notice. Don Eugenio Purre took possession in the name of the King of that place and its dependencies, and of the river of the Illinois ; in consequence whereof the standard of his Majesty was there displayed during the whole time. He took the English one, and delivered it on his arrival at St. Luis to Don Francisco Cruyat, the commandant of that post.

“The destruction of the magazine of provisions and goods which the English had there (the greater part of which was divided among our Indians and those who lived at St. Joseph, as had been offered them in case they did not oppose our troops) was not the only advantage resulting from the success of this expedition, for thereby it became impossible for the English to execute their plan of attacking the fort of St. Luis of the Illinois ; and it also served to intimidate these savage nations, and oblige them to promise to remain neuter, which they do at present.”

When you consider the ostensible object of this expedition, the distance of it, the formalities with which the place, the country, and the river were taken possession of in the name of his Catholic Majesty, I am persuaded it will not be necessary for me to swell this letter with remarks that would occur to a reader of far less penetration than yourself.

I will therefore return to our bills.

The 14th of March arrived, the bills then due were presented, and I prevailed upon the holders of them to wait till the next day at noon for my answer. As the last extremity in the most literal sense had now arrived, I presumed that the Minister would not think me too hasty in requesting his determination. I wrote him the following letter, and sent it by the post, which passes every evening between Madrid and the Court :

“ Madrid, March 14th, 1782.

“ Sir,

“ Bills to a considerable amount have been presented to me this afternoon for payment. The holders of them consent to wait until to-morrow noon for my positive and final answer.

“Your Excellency is too well apprized of every thing that can be said on this subject, to render it necessary for me to multiply observations upon it.

“I have no reason to expect aid from France, and I request the favor of your Excellency to inform me explicitly whether I may flatter myself with any, and what relief from the friendly interposition of his Majesty.

“I have the honor to be, &c.,

JOHN JAY.”

I thought it advisable to send a copy of the above letter to the Ambassador of France with the following note :

“Mr. JAY presents his compliments to his Excellency the Ambassador of France, and has the honor of transmitting herewith enclosed a copy of a letter he has written this evening to the Count de Florida Blanca.

“The Ambassador will perceive from this letter in what a critical situation Mr. Jay finds himself. He requests the favor of the Ambassador’s advice, and will do himself the honor of waiting upon him in the morning to receive it.

“Madrid, Thursday evening, March 14th, 1782.”

On this day, being Thursday, on which day in every week M. Cabarrus had for some time past kept an open table, M. Del Campo was unexpectedly one of the guests, having visited M. Cabarrus but once before on those days. Mr. Carmichael was present. Some earnest and private conversation passed between M. Del Campo and M. Cabarrus. In the afternoon Mr. Carmichael by my desire pressed M. Cabarrus to write to the Minister, that on the morrow our bills must be either paid or protested. M. Cabarrus replied that he had already given that information to M. Del Campo, and that he would not risk that gentleman’s displeasure by repeating it to the Minister, for it would look as if he doubted M. Del Campo’s attention to it. Mr. Carmichael informed me at the same time that M. Cabarrus’s manner appeared changed and somewhat embarrassed.

On the morning of the 15th of March, I waited on the Ambassador. He promised to speak to the Minister that morning to obtain his final answer, and if possible to render it favorable. On his return from the Pardo, he wrote me the following letter :

Translation.

" March 15th, 1782.

" Sir,

" I have just come from the Pardo. The Count de Florida Blanca had not received your letter of yesterday, but I supplied the deficiency by explaining to him your critical and difficult situation. He told me that you might accept the drafts to the amount of fifty thousand dollars, provided M. Cabarrus remains in the same disposition he has displayed hitherto, relative to the time he would wait for the reimbursement of the sums he has advanced for this purpose. You can, therefore, make an arrangement with M. Cabarrus for the acceptance of the bills to the amount of forty or fifty thousand dollars, and show him this note as his security.

" I hope that this sum will relieve you from your present embarrassment, and give you time to adopt measures for meeting the bills which shall hereafter become due.

" Although this information is not so fully satisfactory as I could wish, I take pleasure in communicating it to you, with assurances of my sincere and inviolable attachment.

" THE COUNT DE MONTMORIN."

You will doubtless think with me it was very extraordinary that the Minister should not have received my letter sent him yesterday by the Court courier. Why and by whose means it was kept back can only be conjectured. Had not the Ambassador's application supplied the want of it, a pretext for the Minister's silence would thence have arisen. The letter did not in fact miscarry, for the Minister afterwards received it. The Minister's caution in making his becoming engaged for the advances in question to depend on M. Cabarrus's persisting in the same dispositions he has lately declared relative to the time he would be content to wait for a reimbursement is somewhat singular, considering that his offers on that head had been repeatedly and explicitly communicated to the Minister, and to the Ambassador of France, both by him and by me. Immediately on receiving the Ambassador's letter, I gave it to Mr. Carmichael with instructions to show it to M. Cabarrus, and bring me back his answer without delay, for I was then expecting the notary and others with bills.

Mr. Carmichael returned and informed me that he had communicated the letter to M. Cabarrus, and that instead of abiding by his former offer, to be content with the Minister's engaging to see him repaid in ten or twelve months, he insisted on being repaid in four months, in four equal monthly payments, and those payments secured by orders on the rents of the general post office, and that M. Cabarrus promised either to write or speak to the Minister about it.

A new application to the Minister became necessary, and consequently further time and indulgence from the holders of the bills was to be solicited.

I told the notary that I was in treaty with M. Cabarrus for the supplies I wanted, and that one or two articles remained to be adjusted, which could not be done till the next day.

I therefore requested him to suspend the protest for twenty-four hours more, and to apply to the holders of the bills for permission, adding that near twenty of them belonged to M. Cabarrus, and that from the friendly conduct of several of the others I had reason to flatter myself that they would readily consent. He seemed surprised at what I said respecting my expectations from M. Cabarrus, and with a degree of indignation told me that M. Cabarrus was more pressing than any of the others, and had already sent him two messages to conclude the matter with me without delay, that he had received one of the messages the day before, and the other that morning. He nevertheless cheerfully undertook to obtain permission from the holders of the bills to wait till the next afternoon, and succeeded in it.

The next morning, viz., the 16th of March, I waited upon the Ambassador. I mentioned to him these several facts, and told him that my hopes from M. Cabarrus were at an end, for that exclusive of other circumstances it was not probable that, considering his lucrative connexions with Government, he would risk treating the promise of the Minister, made in consequence of his own offer, with so little respect, as to demand such formal and unusual securities for the performance of it, unless there had been some previous concert, or indirect management in the case. The Ambassador declined assenting to this opinion. He promised to see the Minister, with whom he was that day to dine, and to send me his positive and final answer by four o'clock in the afternoon.

Having prepared the draft of the protest, I thought it would not

be amiss to show it to the Ambassador. He returned it to me without making any other remark than that it was rather pointed.

From the Ambassador's I went to M. Cabarrus's; he had not been at the Pardo, and was then at a meeting of merchants to whose consideration his plan of a bank had been referred.

The Ambassador went to the Pardo and mentioned the matter to the Minister, who replied briefly, "that affair is already arranged with M. Cabarrus," but the Chevalier de Bourgoing, having been desired to bring back a decided answer, applied to M. Del Campo on the subject, who told him, "that they could not possibly comply with M. Cabarrus's terms; that he had written so that morning to M. Cabarrus by a private courier, and that in the evening the Minister would repeat it to him officially." On the Chevalier's mentioning this to the Ambassador, he was clearly of opinion that I had not any resource left, and, therefore, that the bills must be protested, and that the Chevalier should tell me so. I showed the protest, as translated into Spanish by M. Gardoqui, to the Chevalier. The original in English is as follows:

"Mr. Jay says, that when he accepted the bills hereunto annexed, he had good reason to expect to be supplied with the funds necessary to pay them. That he has been disappointed in the expectations he was encouraged to entertain on this subject, and that his endeavors to obtain moneys for the purpose both here and elsewhere have been unsuccessful, although the bills which remain to be paid by him, together with all his other engagements, do not exceed twenty-five thousand pounds sterling. That these disappointments being unexpected, he cannot, for want of time, have recourse to Congress, and therefore finds himself reduced to the mortifying necessity of permitting them to be protested."

The Chevalier approved of the protest, but the notary on reading it observed that the sum was really so trifling that he thought it would do better to strike it out. The Chevalier was struck with this remark, and advised me with some earnestness to make no mention of the sum, for, said he, "it will appear very extraordinary that you should be obliged to protest the bills of Congress for the want of such a sum, and people will naturally turn their eyes towards France, and ask how it happened that your good allies did not assist you; it will look as if we had deserted you."

I replied, that since the bills must be protested, I was content that my true situation should be known. I admitted his inferences to be just, and naturally flowing from the facts, adding, that as France knew my situation and had withheld relief, she had so far deserted us ; but that I was, nevertheless, mindful of the many proofs we had received of her friendship, and should not cease to be grateful for the ninety-nine acts of friendship she had done us, merely because she had refused to do the hundredth.

In short, I directed the notary to recite this protest *verbatim*.

This protest was drawn at my leisure, and with much consideration. It operated as I expected, and I am persuaded you will see the reason of each sentence in it without the aid of my comments. I will only remark, that I was at first induced to insert, and afterwards to refuse striking out the sum, lest from leaving it uncertain, the public might have had room to conjecture, or individuals to insinuate, that I had imprudently run into such rash and expensive engagements, as to render it improper for Spain or France to afford me the necessary supplies.

Nor did it appear to me that both of them should have reason to be ashamed of permitting our credit to be impeached and injured for such an unimportant sum. Both Courts were blamed, and we not only acquitted, but pitied by the public.

I ought to inform you, that the sum which I really wanted did not amount to twenty-five thousand pounds, but as some straggling bills frequently made their appearance, and it could not be foreseen how much those which might still be behind would amount to, I thought it advisable to make a considerable allowance on that score ; for in case I should have asked for less than might afterwards have proved indispensable, I should, doubtless, have been put to great difficulties in obtaining a supply for the deficiency.

In justice to the bankers who held the protested bills, I must say that they in general appeared disposed to show me every reasonable indulgence. The House of Joyes and Sons, though considered as anti-American, were particularly civil. They offered to take such of the bills as had been remitted to them on themselves, provided I would pass my word for the payment of them within a few weeks ; but as I had no assurance of funds, I could not risk it. Besides, unless all the bills due could have been suspended on the like terms, it could

have answered no purpose, because the difference of protesting a few bills more or less was unimportant. The conduct of Don Ignacias Salaia, the notary, was so particularly and singularly generous, that I cannot forbear mentioning it. Though without expectations, and uninfluenced by promises from me, he behaved as if the case had been his own, and proved the sincerity of his professions by doing every thing in his power to serve me. On perceiving how much he was engaged in my favor, I did not choose to lessen the appearance of its being disinterested by promises of rewards. But after the bills were protested, and he could be of no further use, I sent him a gold piece of sixteen dollars, as an acknowledgment for the trouble I had given him. He returned it with an assurance that he wished to serve me from other motives, and the next day waited upon me to thank me for that mark of attention, and again to assure me that his best services were always at my command.

When the bills were protested, and M. Cabarrus's conduct mentioned in his presence, the poor fellow literally shed tears. I was much affected by the warmth and generosity of this man's heart, and should not have readily pardoned myself, had I neglected to bear this testimony to the goodness of it.

During the whole time that this matter was in agitation, that is from the 11th to the 16th of March, and for some time afterwards, M. Cabarrus did not come near me.

On the 18th I wrote a letter to Dr. Franklin informing him of the protest, and reciting the reasons assigned for it. I also hinted the propriety of taking up the bills at Paris, if possible.

The national pride of the Ambassador of France was hurt by this event. I am sure he regretted it as disreputable and impolitic. I remarked to him that most of our cross accidents had proved useful to us, and that this might save us the Mississippi. For I thought it more prudent to be a little incensed than dispirited on the occasion. I suspect that there has been an interesting conversation between the two Courts about us. He told me this winter that he believed Spain wished to modify our independence, and to keep herself in a situation to mediate between us and England at the general peace. He did not explain himself further. As great successes on our part must operate against such designs, the Spanish Minister can neither rejoice in, nor be disposed to promote them; and this may help both

to account for the little impression made by the capitulation of York and for their conduct as to our bills and propositions, &c. I am sure that they fear us, too, and the more, perhaps, as they have misbehaved towards us.

Not many days elapsed before a special courier from Paris brought advices to this Court that the British Parliament had resolved to advise the King to cease all offensive operations against us, &c. This, and the subsequent debates and resolutions of Parliament relative to the American war, made a deeper impression here in our favor than any event which has happened since my arrival. New ideas seemed to pervade the whole court and people, and much consultation, as well as surprise, was occasioned by it.

On the 26th of March, I received the following letter from Dr. Franklin, from the hands of M. Cabarrus, to whom I behaved, on that occasion, with reserved and cold politeness :

“ Dear Sir,

“ Passy, March 16th, 1782.

“ I have received your several favors of January 30th, February 11th, and March 1st, and propose to write fully to you by the next post. In the mean time, this line may serve to acquaint you that I paid duly all your former bills drawn in favor of M. Cabarrus, and that, having obtained a promise of six millions for this year, to be paid me quarterly, I now see that I shall be able to pay your drafts for discharging the sums you may be obliged to borrow for paying those upon you, in which, however, I wish you to give me as much time as you can, dividing them so that they may not come upon me at once. Interest should be allowed your friends who advance for you. Please to send me a complete list of all the bills you have accepted, their numbers and dates, marking which are paid and what are still to pay.

“ I congratulate you upon the change of sentiments in the British nation. It has been intimated to me from thence that they are willing to make a separate peace with us exclusive of France, Spain, and Holland, which, so far as relates to France, is impossible ; and I believe they will be content that we leave them the other two ; but Holland is stepping towards us, and I am not without hopes of a second loan there. And since Spain does not think our friendship worth cultivating, I wish you would inform me of the whole sum

we owe her, that we may think of some means of paying it off speedily.

“With sincerest regard, I am, &c., &c., B. FRANKLIN.

“P. S. The Marquis de la Fayette has your letter.”

I answered this letter as follows, by a French courier :

“Madrid, March 19th, 1782.

“Dear Sir,

“On the 18th instant I informed you of my having been reduced, by M. Cabarrus’s want of good faith, to the mortifying necessity of protesting a number of bills which were then payable.

“Your favor of the 16th instant reached me three days ago. It made me very happy, and enabled me to retrieve the credit we had lost here by those protests. I consider your letter as giving me sufficient authority to take the necessary arrangements with the Marquis d’Yranda for paying the residue of my debts here, as well as such of the protested bills as may be returned for that purpose.

“The account you request of all the bills I have accepted is making out, and when finished shall be transmitted by the first good opportunity that may offer. You may rely on my best endeavors to render my drafts as little inconvenient to you as possible.

“The British Parliament, it seems, begin to entertain less erroneous ideas of us ; and their resolutions afford a useful hint to the other Powers in Europe. If the Dutch are wise, they will profit by it. As to this Court, their system (if their conduct deserves that appellation) with respect to us has been so opposite to the obvious dictates of sound policy, that it is hard to divine whether any thing but experience can undeceive them. For my part, I really think that a treaty with them daily becomes less important to us.

“That Britain should be desirous of a separate peace with us is very natural ; but as such a proposal implies an impeachment of our integrity, I think it ought to be rejected in such a manner as to show that we are not ignorant of the respect due to our feelings on that head. As long as France continues faithful to us, I am clear that we ought to continue hand in hand to prosecute the war until all their, as well as all our, reasonable objects can be obtained by a

peace ; for I would rather see America ruined than dishonored. As to Spain and Holland, we have as yet no engagements with them, and therefore are not obliged to consult either their interest or their inclinations further than may be convenient to ourselves, or than the respect due to our good allies may render proper.

“ France, in granting you six millions, has acted with dignity as well as generosity. Such gifts, so given, command both gratitude and esteem ; and I think our country possesses sufficient magnanimity to receive and remember such marks of friendship with a proper degree of sensibility. I am pleased with your idea of paying whatever we owe to Spain. Their pride, perhaps, might forbid them to receive the money. But our pride has been so hurt by the littleness of their conduct, that I would in that case be for leaving it at the gate of the palace, and quit the country. At present such a step would not be expedient, though the time will come when prudence, instead of restraining, will urge us to hold no other language or conduct to this Court than that of a just, a free, and a brave people, who have nothing to fear from, nor to request of them.

“ I am, &c., &c.,

JOHN JAY.”

On receiving Dr. Franklin's letter I sent for my good friend the notary, and desired him to make it known among the bankers that I had received supplies equal to all my occasions, and was ready to pay to every one his due. He received the commission with as much pleasure as I had the letter. He executed it immediately, and our credit here was reëstablished.

M. Cabarrus became displeased with himself, and took pains to bring about a reconciliation by the means of third persons, to whom I answered that as a Christian I forgave him, but as a prudent man could not again employ him. As this gentleman has suddenly risen into wealth and importance, and is still advancing to greater degrees of both, I shall insert a letter which I wrote in reply to one from him on the subject.

To M. Cabarrus.

“ Madrid, April 2d, 1782.

“ Sir,

“ I have received the letter you did me the honor to write on the 29th of March last.

“As soon as the examination of your accounts shall be completed, I shall be ready to pay the balance that may be due to you, either here or by bills on Paris.

“I should also be no less ready to subscribe a general approbation of your conduct, if the latter part of it had been equally fair and friendly with the first.

“Although it always affords me pleasure to recollect and acknowledge acts of friendship, yet, sir, I can consider only one of the five instances you enumerate, as entitled to that appellation. I shall review them in their order. You remind me,

“1st. *That you risked the making me considerable advances, at a time when I could only give you hopes, and not formal assurances of repayment.*

“I acknowledge freely and with gratitude that (exclusive of the commissions due to you for paying out the various sums I had placed in your hands) you did advance me between twenty and thirty thousand dollars; but as the United States of America were bound to repay it, and I had reason to expect supplies to a far greater amount, I conceived, and the event has shown, that you did not run any great risk, although the uncertainty of the time when these supplies would be afforded, prevented my giving you positive and formal assurances of the time and manner of repayment.

2dly. *That you augmented these advances to quiet the demands of the Marquis d’Yranda.*

“Permit me to remind you that this circumstance might have been more accurately stated. The fact was as follows. I had received about fifty thousand dollars, which, by a prior contract, I had agreed to pay the Marquis on account of a greater sum borrowed from him in paper. The sum in question was in specie. You and others offered to exchange it for paper at the then current difference. The preference was given to you. Under that confidence, and for that express purpose, the specie was sent to your house, and you did exchange it accordingly. With what propriety, sir, can you consider this transaction in the light of making advances or lending me money to quiet the Marquis d’Yranda? It is true that by sending the money to your house I put it in your power, by detaining part of it, to repay yourself what you had before advanced. But, sir, such a proceeding would have been a flagrant breach of trust; and I cannot think any gentleman ought to give himself or

expect to receive credit for merely forbearing to do a dishonorable action.

“3dly. *That you gave me, on my signature, the money for which I applied to you for my personal use, without detaining any part of it on account of the balance then due to you.*

“The transaction you allude to was as follows. I had authority to draw from his Excellency Dr. Franklin on account of my salary. It happened to be convenient to me to draw for a quarter. You agreed to purchase my bill on him, and to pay me in specie at the current exchange. As it was post day, I signed and sent you the bill before I had received the money. These are the facts, and it seems two favors are to be argued from them. First, that you did not scruple my signature, or in other words, that you took my bill. To this I answer, that you had no reason to doubt its being honored. All my former ones had been duly paid. Nor could you or others produce a single instance, in which my signature had not justified the confidence reposed in it. Secondly, that by sending you the bill before you had sent me the money for it, I gave you an opportunity of keeping the money, and giving my public account credit for it; and that in not taking this advantage you did me a favor.

“After having agreed to purchase this bill, and pay me the money for it, you could have no right to detain it. And surely, sir, you need not be informed, that there is a wide distinction between acts of common justice and acts of friendship. I remember that there was then but little demand for bills on Paris, and so far as you may have been induced to take this one from regard to my convenience, I am obliged to you.

“4thly. *That by your agency you accelerated the payment of the twenty-six thousand dollars.*

“I really believe, sir, that you did accelerate it, and you would have received my thanks for it, if the unusual and very particular manner in which the order for that payment was expressed, had not been less consistent with delicacy than with those improper fears and apprehensions, which the confidence due to my private as well as public character ought to have excluded from your imagination. All the preceding orders, which had been given on similar occasions, directed the money to be paid to me. But in this instance, as I owed you a considerable balance, care was taken that the twenty-

six thousand dollars should not as formerly be paid to me, but to you on my account.

“5thly. *That you offered to make me further advances, if either the Ambassador of France or the Minister of State would give you a positive order for the purpose, which you say they constantly refused.*

“It is true, sir, that you offered to supply me with money to pay my acceptances for the month of March, provided the Minister of State or the Ambassador of France would engage to see you repaid, with interest, within a certain number of months, sometimes saying that you would be content to be repaid within seven months, and at others within ten or twelve months, and you repeated this offer to me in these precise terms on the 11th of March last.

“This offer was friendly. I accepted it with gratitude, and in full confidence that you would punctually perform what you had thus freely promised. I accordingly made this offer known to the Minister, and solicited his consent. On the 15th day of March he authorised the Ambassador of France to inform me that you might advance me from forty to fifty thousand current dollars on those terms. The Ambassador signified this to me by letter, and that letter was immediately laid before you. Then, sir, for the first time, did you insist on being repaid in four months, and that in four equal monthly payments, secured by orders on the rents of the post office, or on the general treasury, &c., &c. These terms and conditions were all new, and never hinted to me in the most distant manner until after the Minister had agreed to your first offer, and until the very moment when the holders of the bills were demanding their money, and insisting that the bills should either be paid or protested.

“The Minister rejected these new conditions, and you refused to abide by the former ones. The bills were then due. I had no time even to look out for other resources, and thereby was reduced to the necessity of protesting them.

“Such conduct, sir, can have no pretensions to gratitude, and affords a much more proper subject for apology than for approbation. I confess that I was no less surprised than disappointed, and still remain incapable of reconciling these deviations from the rules of fair dealing, with that open and manly temper which you appear to

possess, and which I thought would insure good faith to all who relied on your word.

“How far your means might have failed, how far you might have been ill advised, or ill informed, or unduly influenced, are questions which, though not uninteresting to you, are now of little importance to me.

“I acknowledge with pleasure that, until these late singular transactions, I had reason to believe you were well attached to the interests of my country, and I present you my thanks for having on several former occasions endeavored to promote it.

“I am, &c., &c.,

JOHN JAY.”

As M. Cabarrus was concerned in contracts with Government for money, and was the projector of several of their ways and means for supplying the Royal Treasury, it appeared to me expedient that he should wish us well, and be our banker. Some advantages have arisen from it, and they would probably have been greater, if not opposed by the great and unfriendly influence of M. Del Campo. At the same time that I blame M. Cabarrus, I cannot but pity him, for there is much reason to consider him in the light of the *scape goat*.

I have now employed Messrs. Drouilhet to do our business; that house is one of the most considerable here in the banking way.

I showed Dr. Franklin's letter to the Ambassador of France, and made him my acknowledgments for the generous supply afforded by his Court to ours. He seemed very happy on the occasion, and regretted it had not been done a little sooner.

His Secretary remarked to me, that Spain would suspect that this subsidy had been granted in consequence of the protest of our bills, and that this Court would make it the cause of complaint against France.

The Court left the Pardo, and passed the Easter holidays at Madrid. I denied myself the honor of waiting on the Minister on that occasion, nor have I seen him since the protest of our bills. My judgment, as well as my feelings approved of this omission. The Court are now at Aranjues, where I have taken a house, and purpose to go soon after these despatches shall be completed.

On the 30th of March, I was surprised by the following note,

being the first of the kind which I have received from the Minister since my arrival:

Translation.

“The Count de FLORIDA BLANCA has been to take the orders of V. S.* for Aranjues, where he hopes to have the honor of the company of V. S. at his table every Saturday after the 11th of May next ensuing.”

This invitation is imputable to the late news from England, and the grant of six millions by France was probably accelerated by it. Both Courts are watching and jealous of us. We are at peace with Spain, and she neither will, nor indeed can, grant us a present subsidy. Why, then, should we be anxious for a treaty with her, or make sacrifices to purchase it? We cannot now treat with her on terms of equality, why, therefore, not postpone it? It would not, perhaps, be wise to break with her; but delay is in our power, and resentment ought to have no influence.

Time would secure advantages to us, which we should now be obliged to yield. Time is more friendly to young than to old nations, and the day will come when our strength will ensure our rights. Justice may hold the balance and decide, but if unarmed will for the most part be treated like a blind woman. There is no doubt that Spain requires more cessions than England, unless extremely humbled, can consent to. France knows and fears this. France is ready for a peace, but not Spain. The King's eyes are fixed on Gibraltar. The Spanish finances, indeed, are extremely mismanaged, and I may say pillaged. If England should offer us peace on the terms of our treaty with France, the French Court would be very much embarrassed by their alliance with Spain, and as yet we are under no obligations to persist in the war to gratify this Court. It is not certain what England will do, nor ought we to rely on the present promising appearances there; but can it be wise to instruct your Commissioners to speak only as the French Ministers shall give them utterance? Let whatever I write about the French and their Ambassador here be by all means kept secret. Marbois

* *Vuestra Senoria.* *Your Lordship* or *Your Excellency.* We have no title which exactly corresponds with the Spanish.

gleans and details every scrap of news. His letters are very minute, and detail names and characters.

Sweden is leaning towards us, and it will not be long before the Dutch become our allies. Under such circumstances, Spain ought not to expect such a price as the Mississippi for acknowledging our independence.

As it is uncertain when I shall again have so good an opportunity of conveying a letter to you as the present, I have been very particular in this. The facts might, perhaps, have been more methodically arranged, but I thought it best to state them as they arose; and though some of them, separately considered, do not appear very important, yet when viewed in connexion with others, they will not be found wholly uninteresting.

You will readily perceive, on reading this letter, that parts of it relate to Mr. Morris's department. I hope he will excuse my not repeating them in a particular letter to him, especially as he will readily believe that the length of this, and the cyphers used in it, have fatigued me a good deal.

All the cyphers in this letter are those in which I correspond with Mr. Morris, and the only ones I have received from him. They were brought by Major Franks, and marked No. 1. Several of my former letters to Mr. Thomson and you mentioned that his cypher was not to be depended upon. The copy of it brought by Mr. Barclay, which is the only copy I have received of the original by Major Franks, having passed through the post office, came to my hands with marks of inspection on the cover.

I received, the 12th of April, a packet of newspapers, which I believe was from your office. It was brought to Bilboa by Mr. Stockholm; but not a single line or letter from America accompanied it.

On the back of the packet there was this endorsement, "Bilboa, April 3d, 1782, brought and forwarded by your Excellency's very humble servant, Andrew Stockholm." Notwithstanding this, it was marked *Paris* by the post office, and charged with postage accordingly, viz: one hundred and six reals of vellon. I sent the cover to the director of the post office, but he declined correcting the mistake. Thus are all things managed here.

The *Courier de l'Europe* informs us that the English Ministry are totally changed, and gives us a list of those who form the new

one. I think it difficult to predict how this change may eventually operate with respect to us. I hope we shall persevere vigorously in our military operations, and thereby not only quiet the fears and suspicions of those who apprehend some secret understanding between us and this Ministry, but also regain the possession of those places which might otherwise counterbalance other demands at a peace.

Great preparations are making here for a serious attack on Gibraltar. The Duc de Crillon will doubtless command it. His good fortune has been very great.

It is natural as well as just that Congress should be dissatisfied with the conduct of this Court; they certainly have much reason; and yet a distinction may be made between the Ministry and the nation, the latter being more to be pitied than blamed.

I must now resume a subject which I did not expect to have had occasion to renew in this letter.

You may observe from the copy of the Count de Florida Blanca's note containing an invitation to his table at Aranjues, and left at my house by his servant, that it was not expressly directed to me. This omission raised some doubt in my mind of its being intended for me, but on inquiry I found that the other Ministers had in the same manner received similar ones, and not directed to them by name. I mentioned my having received it to the Ambassador of France. He told me the Count had not mentioned a syllable of it to him. I desired him to take an opportunity of discovering from the Count whether or no there was any mistake in the case, and to inform me of the result, which he promised to do.

On the 23d of April instant, the Ambassador being then in town, I paid him a visit. He told me that on mentioning the matter to the Count, he said it must have happened by mistake, for that he intended only to ask my orders for Aranjues, but that he was, nevertheless, glad the mistake had happened, as it would give him an opportunity, by mentioning it to the King, to obtain his permission for the purpose, and to that end desired the Ambassador to write him a note stating the fact. The Ambassador did so, and the Count afterwards informed him that he had communicated it to the King, who, with many expressions of regard for our country, had permitted him to invite me as a private gentleman of distinction belonging to it. He authorised the Ambassador to communicate

this invitation to me, and also to inform me that I might bring Mr. Carmichael with me.

Much conversation ensued between the Ambassador and myself, consisting of my objections to accepting this invitation, and his answers to them. But as we continued to differ in sentiment, and he was going out, I agreed to think further of the matter before I gave my final answer.

For my part, I doubt there having been any mistake. I think it more probable that the Minister, afterwards reflecting on the use that might be made of this note, wished to render it harmless by imputing it to mistake, and substituting a more cautious invitation. For it can hardly be supposed either that his servant would, for the first time in two years, leave such a note at my house unless ordered; or that he himself would, for the first time in his life, and that in writing, inform me of his having called to take my orders for Aranjues, without taking care that his amanuensis wrote as he dictated. He was probably warmed by the news from England and Holland, and in the perturbation of spirits occasioned by it, was more civil than on cool reflection he thought was expedient, especially on further considering that the Ambassador might not be well pleased at not having been privy to it.

A few days afterwards I wrote the Ambassador the following letter on the subject :

“ Madrid, April 27th, 1782.

“ Sir,

“ Be pleased to accept my thanks for the very friendly part you have acted relative to the Minister’s written invitation left at my house, and the verbal one since conveyed from him to me by your Excellency. I have deliberately reëxamined my former sentiments respecting the propriety of accepting it; and as they remain unaltered, my respect for your judgment leads me to refer them, fully explained, to your further consideration.

“ As the Minister informed your Excellency that the written invitation was left at my house by *mistake*, I think nothing remains to be said relative to it. On the discovery of that mistake, the Minister it seems was so obliging as to apply for and obtain the consent of the King to renew the invitation, not in *general terms*, but in terms expressly declaring that it was given to me as a private

gentleman, and was so to be accepted; with the additional favor, nevertheless, of being permitted to bring Mr. Carmichael with me.

“The only objection which opposes my accepting it arises from this question, viz: whether a Minister or representative of an independent Sovereign can with propriety accept any invitation which in the terms of it impeaches his title to that character? So far as this question respects the Ministers of independent States and kingdoms in general, your Excellency will agree with me in opinion that it must be answered in the negative. The next inquiry which presents itself is, whether the United States of America come so far under that description as to render this reasoning applicable to their Ministers? Every American thinks they do. Whatever doubts this or other Courts may entertain relative to their independence, the United States entertain none, and therefore their servants ought not, by words or actions, to admit any. For instance, ought General Washington to accept an invitation which expressly imposed upon him the condition of laying aside his uniform, and appearing at table in the dress of a private gentleman? I think not. If this reasoning be just, the impropriety of my accepting this invitation becomes manifest, and all arguments from the expediency of it must cease to operate. For my part, I consider it as a general rule that although particular circumstances may sometimes render it expedient for a nation to make great sacrifices to the attainment of national objects, yet it can in no case be expedient for them to impair their honor, their dignity, or their independence.

“As to the temporary advantages which might result from accepting this invitation, I find them balanced by at least equal disadvantages. There can be no doubt on the one hand, but that my frequenting the Count de Florida Blanca’s table on the days appointed for entertaining foreign Ministers would impress a general opinion that Spain was about to become our allies, and I readily admit that such an opinion might operate to our advantage in other countries. But on the other hand, when the Count de Florida Blanca, in order (though perhaps in vain) to save appearances, shall inform those foreign Ministers that I was expressly invited as a private gentleman, and had consented to come in that character, they would naturally entertain ideas which would tend to diminish rather than increase their respect for America and American legations.

“It would give me pain if the Count de Florida Blanca should suppose me to be in the least influenced by the promising aspect of our affairs. I flatter myself he will not incline to that opinion, when he reflects on the particular circumstances under which the United States declared themselves independent, and under which they afterwards refused to treat with their then victorious enemies, on any terms inconsistent with it.

“Although offence and disrespect are very far from my thoughts, I fear the Count will be a little hurt at my declining the invitation in question. I am persuaded that he meant to do me a favor, and I feel myself indebted for his friendly intentions. But as the considerations mentioned in this letter forbid me to accept it, I wish to communicate that circumstance to him in the most soft and delicate manner, and, therefore, request the favor of your Excellency to undertake it.

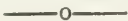
“I have the honor to be, &c.,

JOHN JAY.”

Reasons similar to those assigned for this refusal have induced me ever since my arrival to decline going to Court, where I might also have been presented as a stranger of distinction, but as Mr. Carmichael had been presented in that character previous to my coming to Madrid, I never objected to his making subsequent visits.

I am, dear sir, with great regard and esteem, your most obedient and very humble servant,

JOHN JAY.



ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, May 9th, 1782.

Dear Sir,

Your letter of the 6th of February, with a duplicate of that of August last, directed to the President, has been received and read in Congress. I am extremely surprised to find from that and yours to me, that so few of my letters have reached you, since no vessel has sailed from this, or, indeed, from any of the neighboring ports, without carrying letters or duplicates of letters from me. The whole number directed to you, including the duplicates from October to this time, amounts to twenty-four; so that they must certainly be suppressed in many instances. But what astonishes me more, is to

find that you cannot read my letter, No. 3, and the duplicate of No. 2; when, upon examining my letter book, I find it is written in the very cypher which you acknowledge to have received, and in which your letter of the 20th of September is written; so that if it is not intelligible, it must have undergone some alteration since it left my hands, which I am the more inclined to think, because you speak of a cypher said to be enclosed, of which my letters make no mention, and only notes a slight alteration in Mr. Thomson's cypher. My first letter was in our private cypher; this you had not received. My second, by the Marquis de la Fayette, in cypher, delivered to me by mistake by Mr. Thomson, and lost with Mr. Palfrey. My third, in the cypher sent by Major Franks, a duplicate of which was sent by Mr. Barclay; and that enclosed a copy of my letter, No. 2. I had then discovered the mistake, so that I can in no way account for your being unable to decypher it.

Since my last, of the 28th of April, we have been informed of the change in the British Administration. We have seen the act for enabling the King to make peace, and the new plan has begun to open itself here under the direction of Sir Guy Carleton. You, who know your countrymen, will feel little anxiety on this subject. It is proper, however, that you should be enabled to calm the apprehensions, which those who know us less and are interested in our measures may entertain. I have the pleasure of assuring you, that it has not produced the slightest alteration in our sentiments; that we view a change of men and measures with the utmost philosophic indifference. We believe that God has hardened the heart of Pharaoh, so that he cannot let the people go, till the first born of his land are destroyed; till the hosts are overthrown in the midst of the sea; and till poverty and distress, like the vermin of Egypt, shall have covered the land. The general sentiment here seems to be, that new endeavors will be so used to detach us from our ally, that the best answer to such attempts to disgrace us will be a speedy and spirited preparation for the ensuing campaign.

When Sir Guy Carleton arrived at New York, he found them in violent convulsions about the demand that General Washington had made of the persons who perpetrated the murder upon an officer of the Jersey levies, one Captain Huddy, whom they made prisoner, carried to New York, and afterwards taking him out of jail hung him in the county of Monmouth. I enclose the General's letter, and the

other letters that have passed on that occasion. The affair has not yet ended ; the British officers insist upon his [*i. e.* Lippincott, who hung Huddy] being given up. The refugees support him. A court martial is now sitting for his trial. In the extracts sent out by General Robertson are contained the cases of all the persons that have been tried and convicted of robbery, horse stealing, &c., in the Jerseys since the war, as they have protected every species of villany. They wish us to consider every felon we hang as a part of their regular corps.

Your last dispatches by Colonel Livingston did not come to hand. The vessel in which he sailed was taken and carried into New York. He destroyed his letters. He was immediately committed to the provost, where he met with your brother, who had been some time confined there. On the arrival of General Carleton, which was a few days after, both were liberated on their *paroles*, so that Mr. Livingston can give us no intelligence of any kind. Carleton spoke to him in the most frank and unreserved manner ; wished to see the war carried on, if it must be carried on, upon more generous principles than it has hitherto been. I told him he meant to send his Secretary to Congress with despatches, and asked whether the Colonel would take a seat in his carriage. Mr. Livingston told him that his Secretary would certainly be stopped at the first post ; upon which he expressed surprise, and inquired whether Mr. Livingston would himself be the bearer of them, which he declined, unless they contained an explicit acknowledgment of our independence, and a resolution to withdraw the British troops. He replied he was not empowered to make any such proposition, and that his letter was merely complimentary. The next day he wrote to the General the letter, a copy of which [No. 1] is enclosed. The General sent the answer, [No. 2 ;] these letters being laid before Congress, they came to the resolution, [No. 3.] You will judge from these circumstances whether it is probable that Britain will easily seduce us into a violation of the faith we have pledged to our allies.

I am particular in giving you every information on this head because I am persuaded that means will be used by our enemies to induce a belief that this country pines after peace and its ancient connexion with England. It is strictly true that they are very desirous of peace. But it is also true that the calamities of war press lighter upon them every day, from the use they are in to bear

them, and from the declining strength of the enemy. They consider themselves as bound, both in honor and interest, to support the alliance which they formed in the hour of distress; and I am satisfied that no man would be found in any public assembly in America sufficiently hardy to hint at a peace, upon any terms, which should destroy our connexion with France.

I yesterday took the sense of Congress upon the propriety of giving you leave of absence. They have declined giving any answer to that part of your letter, from which you are to conclude that they do not conceive it advisable at present. I enclose the resolution I proposed, which they thought it proper to postpone.

In all our transactions in Spain we are to consider the delicate situation in which they stand with France, the propensity of the former to peace, and the need that the latter has of their assistance. I should conceive it necessary, therefore, rather to submit with patience to their repeated delays than give a handle to the British party at Court. For this reason I conceive that no advantage could result from demanding a categorical answer, and that it might involve us in disagreeable circumstances. The resolution enclosed in my last will either serve as a stimulus to the politics of Spain, or leave us a latitude on the negociation for a peace, which will be of equal advantage to us with any of those slight aids which Spain seems willing or able to give us. Congress have found so little advantage from sending embassies to Courts who have shown no disposition to aid them, that they have passed the enclosed resolution, [No. 4.] Every saving is an object of importance with them, and they feel very heavily the expense of their foreign embassies, which are, in some particulars, unnecessarily expensive.

The complaints which have justly been made of the mode in which our Ministers are paid, have induced Congress to direct the financier to fall upon some other mode. The one adopted will be very advantageous to our Ministers. He proposes to make his payments here quarterly. I shall, as your agent, receive the amount, make out the account, and vest it in bills at the current rate, and remit them to Dr. Franklin, and send you advice when I do it; or, when opportunity offers, send them directly to you. I shall follow your directions if you have any other to give, with respect to the money due to you, and consider myself liable, in my private capacity, for all the money I receive on your account, till you appoint another

agent. This will simplify Mr. Morris's account, he only opening one with the Department of Foreign Affairs.

Your present account will commence the 1st of January. I wish you to transmit a state of your account prior to that date, and I will procure and remit you the balance.

We have nothing new but what you may collect from the papers enclosed. The Count de Montmorin will see with pleasure that the birth of a dauphin has been received here at this critical time in such a manner as to evidence our attachment to the King his father, and the French nation.

I am embarrassed beyond expression at the misfortune that happened to Mr. Thomson's cypher. I shall enclose another with this, and send them both to Mr. Harrison, with special directions to send them safely to you.

It must have been long since you heard from me. Our ports have been totally shut up for some time, and no less than three vessels with despatches from me to you have been taken and carried into New York within two months.

As you seem to suppose my appointment has not been sufficiently notified to you to authorise your directing your letters to me, I enclose the resolution for my appointment, together with that for the organization of the office.

"I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

—o—

TO ROBERT R. LIVINGSTON.

Madrid, May 14th, 1782.

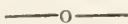
Dear Sir,

A letter from Dr. Franklin calls me to Paris. I set off in about five days. He has doubtless written to you on the subject. Major Franks is on the way to you with despatches from me. Be pleased to send your future letters for me under cover to Dr. Franklin. No inconveniences will be caused by my absence. The instructions intended for M. Del Campo are to be sent to the Count d'Aranda. I congratulate you on the recognition of our independence by the Dutch. The French have lost a ship-of-the-line, and they say thirteen transports bound to the Indies.

I hope my future letters will be less unfortunate than many of my former ones. Rely upon it, that I shall continue to write particularly and frequently to you.

With great regard and esteem, &c.,

JOHN JAY.



ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, June 23d, 1782.

Dear Sir,

The only letter I have received from you, since that of the 6th of February last, was a few lines which covered an account of the surrender of Fort St. Philip. This success is important, as it not only weakens an enemy, and operates against their future resources, but as it gives reputation to the arms of a nation that have our sincerest wishes for their prosperity, notwithstanding the little attention we have received from them. This letter goes by too hazardous a conveyance to admit of my entering into many of those causes of complaint which daily administer food to distrusts and jealousies between Spain and the people of this country. The Havana trade, notwithstanding the important advantages it affords to Spain, meets with the most unjustifiable interruptions. Vessels have been detained for months together, in order to carry on the expeditions which Spain has formed, no adequate satisfaction being allowed for them; and then sent away without convoy; by which means many of them have fallen into the hands of the enemy, and where they did not, the expense and disappointment occasioned by their detention have thrown the greatest discouragements on the trade. The Bahama Islands having surrendered to the arms of Spain, if the copy of the capitulation published by Rivington may be depended upon, it is a counterpart to that of Pensacola, and the troops will probably be sent to strengthen the garrisons of New York and Charleston. These transactions, together with the delays and slights you meet with, cannot but have a mischievous effect upon that harmony and confidence which it is the mutual interests of Spain and America to cultivate with each other. It seems a little singular to this country that the United Provinces, which never gave us the least reason to suppose that they were well inclined towards us, should precede Spain in acknowledging our rights. But we are a plain people;

Courts value themselves upon refinements which are unknown to us. When a Sovereign calls us friends, we are simple enough to expect unequivocal proofs of his friendship.

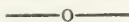
Military operations have not yet commenced, so that the field affords us no intelligence, and the Cabinet seems to be closed by the determination of Congress not to permit Mr. Morgan to wait upon them with General Carleton's compliments.

General Leslie, in consequence of the late alteration in the British system, (together with the scarcity of provisions in Charleston,) proposed to General Greene a cessation of hostilities. I need hardly tell you that the proposal met with the contempt it deserved. Those who are unacquainted with our dispositions, would be surprised to hear that our attachment to an alliance with France has gathered strength from their misfortune in the West Indies, and from the attempts of the enemy to detach us from it. Every legislative body, which has met since, has unanimously declared its resolution to listen to no terms of accommodation which contravenes its principles.

Congress have it in contemplation to make some alteration in their foreign arrangements, in order to lessen their expenses, but as nothing is yet determined on, I do not think it worth while to trouble you with a plan which may not be carried into effect.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

Paris, June 25th, 1782.

Dear Sir,

My letters from Madrid, and afterwards a few lines from Bordeaux, informed you of my being called to this place by a pressing letter from Dr. Franklin.

The slow manner of travelling in a carriage through Spain, Mrs. Jay's being taken with a fever and ague the day we left Bordeaux, and the post horses at the different stages having been engaged for the Count du Nord, who had left Paris with a great retinue, prevented my arriving here until the day before yesterday.

After placing my family in a hotel, I immediately went out to

Passy, and spent the remainder of the afternoon in conversing with Dr. Franklin on the subjects which had induced him to write for me. I found that he had then more reason to think my presence necessary than it seems to be at present.

Yesterday we paid a visit to the Count de Vergennes. He gave me a very friendly reception, and entered pretty fully with us into the state of the negociation. His answer to the British Minister appeared to me ably drawn. It breathes great moderation, and yet is so general as to leave room for such demands as circumstances, at the time of the treaty, may render convenient.

There is reason to believe that Mr. Fox and Lord Shelburne are not perfectly united, and that Rodney's success will repress the ardor of our enemies for an immediate peace. On leaving the Count, he informed us that he was preparing despatches for America, and that our letters, if sent to him to-morrow morning, might go by the same opportunity. This short notice, together with the interruptions I meet with every moment, obliges me to be less particular than I could wish; but as Dr. Franklin also writes by this conveyance, you will doubtless receive from him full intelligence on these subjects.

My last letters also informed you that the Court of Spain had commissioned the Count d'Aranda, their Ambassador here, to continue with me the negociation for a treaty with our country. I have not yet seen him, and Dr. Franklin concurs with me in opinion that it is more expedient to open this business by a letter than by a visit.

Mr. Adams cannot leave Amsterdam at present, and I hear that Mr. Laurens thinks of returning soon to America, so that I apprehend Dr. Franklin and myself will be left to manage at least the skirmishing business, if I may so call it, of our commission, without the benefit of their counsel and assistance. You know what I think and feel on this subject, and I wish things were so circumstanced as to admit of my being indulged.

You may rely on my writing often, very often. My letters will now have fairer play, and you will find that I have not ceased to consider amusement and rest as secondary objects to those of business.

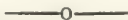
I shall endeavor to get lodgings as near to Dr. Franklin as I can. He is in perfect good health, and his mind appears more vigorous

than that of any man of his age I have known. He certainly is a valuable Minister, and an agreeable companion.

The Count d'Artois and Duc de Bourbon are soon to set out for Gibraltar. The siege of that place will be honored with the presence of several princes, and therefore the issue of it (according to the prevailing modes of thinking) becomes in a more particular manner interesting. The Duc de Crillon is sanguine; he told me that, in his opinion, Gibraltar was far more pregnable than Mahon. It is possible that fortune may again smile upon him.

I am, dear sir, &c.,

JOHN JAY.



TO ROBERT R. LIVINGSTON.

Paris, June 23th, 1782.

Dear Sir,

I had the pleasure of writing to you on the 25th instant. As the express, which is to carry that letter, will not depart till to-morrow morning, I have a good opportunity of making this addition to my despatches.

Agreeably to the desire of Congress, as well as my own wishes, I have had the satisfaction of conferring with the Marquis de la Fayette on several interesting subjects. He is as active in serving us in the cabinet as he has been in the field, and (there being great reason to believe that his talents could be more advantageously employed here, than an inactive campaign in America would admit of there) Dr. Franklin and myself think it advisable that he should postpone his return for the present. The Marquis inclines to the same opinion, and, though anxious to join the army, will remain here a little longer.

The intentions of the British Ministry with respect to us are by no means clear. They are divided upon the subject. It is said that Mr. Fox and his friends incline to meet us on the terms of independence, but that Lord Shelburne and his adherents entertain an idea of making a compact with us, similar to that between Britain and Ireland, and there is room to apprehend that efforts will be made to open a negociation on these subjects at Philadelphia. When it is considered that the articles of a general peace cannot be discussed in America, and that propositions for a separate one ought not to be

listened to, it is evident to me that their sending out commissions can be calculated for no other purpose than that of intrigue.

I should enlarge on this topic, were I not persuaded that you will see this matter in the same point of view, and that any proposition which they may offer will be referred to the American Commissioners in Europe. How far it may be prudent to permit any British agents to come into our country, on such an ostensible errand, is an easy question, for where an unnecessary measure may be dangerous it should be avoided. They may write from New York whatever they may have to propose, and may receive answers in the same manner.

If one may judge from appearances, the Ministry are very desirous of getting some of their emissaries into our country, either in an avowed or in a private character, and all things considered, I should think it most safe not to admit any Englishman in either character within our lines at this very critical juncture. A mild and yet firm resolution, on the impropriety and inexpediency of any negotiation for peace in America, would give great satisfaction to our friends and confirm their confidence in us. We indeed, who know our country, would apprehend no danger from any thing that British agents might say or do to deceive or divide us; but the opinions of strangers, who must judge by appearances, merit attention; and it is doubtless best not only to be steadfast to our engagements, but also to avoid giving occasion to the slightest suspicions of a contrary disposition. An opinion does prevail here, that in the mass of our people there is a considerable number who, though resolved on independence, would nevertheless prefer an alliance with England to one with France, and this opinion will continue to have a certain degree of influence during the war. This circumstance renders much circumspection necessary.

I am, with great regard and esteem, dear sir, &c.,

JOHN JAY.

—o—

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, July 6th, 1782.

Dear Sir,

Since my letter of the 23d ultimo, Congress have passed the

enclosed resolution. My letter had already anticipated it, so that it will only serve to show that I was warranted in the observations I had made, and am sorry to add that my prediction, that the troops taken by Spain would be sent to serve against us, seems to be confirmed by an account received from Charleston of a number of soldiers, taken in Pensacola, having been sent there. Could I suppose the Court of Spain entirely regardless of our interests, I should presume that an attention to their own would keep them from affording such reinforcements to the British here as will enable them to detach to Jamaica, or any other of their islands which Spain may have it in contemplation to reduce.

I am, therefore, fully persuaded that every measure of this kind must originate merely in the inattention of the officer, and that if mentioned to his Majesty's Ministers it will be prevented in future. You will therefore take the earliest opportunity to state it to them, and to show them the pernicious influence it will have, not only upon our measures, but upon those sentiments of friendship and affection which Congress wish the people of these States to entertain for a nation that is engaged in the same cause with them, and with whom a variety of considerations will lead them to maintain in future the most intimate connexion.

I have remitted to Dr. Franklin the amount of one quarter's salary due to you, which I have vested in bills at six and three pence this money for five livres, which yields a profit to you of about five and a half per cent., and will be more than sufficient to pay the expense of commissions, that this new mode of paying your salaries will subject you to. I have directed an account to be opened with you, and will receive your directions, unless you shall think it proper to appoint some other agent. My Secretary, Mr. Morris, will enclose a particular state of your account, exclusive of contingencies, an account of which I wish you to remit me, that I may get it discharged for you. The second quarter being now due, I shall get the accounts passed and the bills remitted by the next opportunity. You will be pleased to pay particular attention to the enclosed paper in cyphers, as it relates to a private transaction of some importance to both of us.

Let me hear from you on this subject as soon as possible.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

ROBERT R. LIVINGSTON TO JOHN JAY.

Dear Sir,

Philadelphia, September 12th, 1782.

We yesterday received letters from Mr. Adams by Captain Smedley, who brought out the goods left by Commodore Gillon. These were the first advices that had reached us from Europe since your short note of the 14th of May. You will easily believe that this neglect is borne here with some degree of impatience, particularly at this interesting period, when we learn that a negociation for a peace has commenced, and that Mr. Grenville is in France upon that business. Mr. Adams's letters take no more notice of this important transaction, than if we were not interested in it; presuming, probably, that we are fully informed from France. I may think improperly upon this subject, but I cannot be satisfied that a quarterly letter from our Ministers is sufficient to give Congress the information that is necessary for the direction of their affairs; and yet this is much more than we receive. Some pay half yearly, and others offer only an annual tribute. Your last letter, properly so called, is dated in April; Dr. Franklin's in March. This is the more mortifying, as want of time can hardly be offered as an excuse by our Ministers, who must certainly have more leisure upon their hands than they know how to dispose of.

I congratulate you upon your arrival in France, where, if your negociations are not more successful than they have been in Spain, you will at least have some enjoyments that will console you under your disappointments. Carleton has informed us that Great Britain had agreed to yield us unconditional independence. I find that he has been too hasty in his opinion, and that the death of the Marquis of Rockingham has made a very material alteration in the system. That this inconsistency may be fully displayed, I would advise you to have the enclosed letter from Carleton and Digby published in Europe. Before the arrival of the packet, every disposition was made for the evacuation of Charleston, which was publicly announced. The Tories have, in consequence of it, come out in crowds with the consent of General Leslie to solicit pardon. The works at Quarter House were burned. Whether the late intelligence will alter their determination I cannot say. High expectations have also been entertained of the evacuation of New York, where the Royalists were in despair. Their hopes are again revived.

If the negotiations go on, let me beg you to use every means for procuring a direct trade with the West Indies. It is an object of the utmost importance to us. The exports of Philadelphia alone to the islands amounted before the war to three hundred thousand pounds; they could not have been much less from New York; they were considerable also from the Eastern States. We shall be very long in recovering the distress of the war if we are deprived of this important commerce. It is certain, too, that the European Powers who hold islands would find themselves interested in this intercourse, provided they exclude the introduction of manufactures, which might interfere with their own.

In proportion to the expense at which articles of the first necessity are furnished, must be the improvement, population, produce, and wealth of the islands. While the inhabitants of these States are compelled by law, as well as allured by fashion and habit, to receive their manufactures and luxuries from the mother country, she must reap the full benefit of such improvement, population, produce, and wealth. It may be said, that this check upon the exportation of provisions from the parent State would, by reducing the price of grain, discourage agriculture; to this I would observe, that it is extremely doubtful whether it would occasion such reduction; secondly, that if it did, it would be beneficial to the community. My doubt upon the first head arises from this consideration; if, as I maintain, the increased wealth and population of the islands occasioned an increased consumption of the manufactures of the mother country, the provisions that formerly fed the planters abroad are now consumed at home by the manufacturer, and the price of provisions stands where it did, with this clear advantage to the mother country, that by the cheapness of living on the islands she has increased the number of subjects who till the earth for her abroad, and by the same means has added to the people, who make her strength and riches at home.

My second position is grounded upon the competition that prevails at this moment among the maritime manufacturing nations of Europe, France and England particularly. The nation that undersells its rival in foreign markets will sap the foundation of her wealth and power. The nation that can maintain its manufactures, and navigate its vessels at the cheapest rate, will undoubtedly enjoy this advantage, all things else being equal. It is obvious that the price of labor is

regulated by that of provisions, that manufacturers never earn more than a bare subsistence. If so, where provisions are cheap manufactures can be carried on to the most advantage. Of this, the East Indies are a striking proof. In proportion, too, to the price of provisions and the price of labor, which depends upon it, must be the expense of building and navigating ships. Both these advantages, where there is a concurrence, are therefore clearly in favor of the nation that can reduce the price of provisions within her own kingdom.

But it may be said that this reduction of the price of provisions which seems so desirable in one view, may be found injurious in another; and that it is at least as expedient to encourage agriculture as manufactures. I agree in the principle, though not in the application. Going back to my first position, that the man who labors gets a bare subsistence; for the moment he does more, the number of laborers in that kind (provided his employment does not require uncommon skill) increases, and his labor is not more profitable than that of the other laborers of the country. It will follow, then, that so far as he consumes what he raises, the price will be entirely out of the question. If a bushel of grain a day is necessary for the support of his family, he will equally raise and equally consume that grain, whether it sells for a penny or a pound. But as there are other articles necessary for the use of his family that he must purchase, this purchase can only be made by the excess of what he raises beyond his own consumption. If he purchases the manufactures of the country, and they rise in proportion to the value of provisions, it must be a matter of indifference to the husbandman whether the price of the latter is high or low, since the same quantity will be necessary to purchase what his necessities demand in either case; unless indeed his provisions are carried to foreign markets, and the manufactures he wants imported, in which case the price of his grain will become an object of moment, and operate as an encouragement to agriculture. But it would also in the same proportion operate as a check on the manufactures, population, and navigation of the country. On the first, for reasons which have been already explained; on the second, because manufactures require more hands than agriculture; and on the third, because the expense of labor, which increases with the diminution of population, and the price of victualling the vessels employed in the transportation of

their produce, will enable nations who can maintain their subjects cheaper, to navigate their vessels at a lower rate, and of course to engross this branch of business, unless the laws of the State, such as acts of navigation, shall forbid, in which case those acts will operate so far as a discouragement upon agriculture; the advanced freightage being so much deducted from the husbandman's profit.

There are many collateral arguments to show the policy of this measure, even with reference to agriculture, arising out of the general positions I have stated, such as the advantage husbandmen find in a manufacturing country in placing their weak or supernumerary children to trades, and procuring a number of hands on a short notice at any of those critical periods which so frequently occur in the culture of land, without being compelled to maintain them all the year, which increase their profit though they reduce the price of grain. But these are too extensive to take notice of here. I will conclude with some observations which arise from the circumstances of the country with relation to Europe, which I trust will be found so important as to merit attention.

The commercial nations of Europe begin already to see that the attention which is almost universally afforded to the improvement of manufactures must set bounds to their commerce, unless they can open new markets. Where are these new markets to be found but in America? Here the wishes and habits of the people will concur with the policy of the Government, in encouraging the cultivation of their lands at the expense of manufactures. Both will continue to operate while we have a great wilderness to settle, and while a market shall be afforded for our produce. But if that market is shut against us; if we cannot vend what we raise, we shall want the means of purchasing foreign manufactures, and of course must from necessity manufacture for ourselves. The progress of manufactures is always rapid, when once introduced in a country where provisions are cheap, and the means of transportation so extremely easy as it is in America. I am fully persuaded, therefore, that it is the interest of a nation with whom present appearances promise us such extensive commerce as France, to give every encouragement to our agriculture, as the only means of keeping open this market for the consumption of their manufactures.

I meant to write a few lines on this subject, and I have written a

treatise ; it will, however, cost you no great trouble to read it, and may possibly afford you some useful hints.

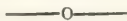
Pigot is at New York, with twenty-six sail-of-the-line. The Marquis de Vaudreuil is at Boston with twelve, having lost the *Magnifique* in the harbor ; Congress have presented his Most Christian Majesty with the *America*, a seventy-four, built at Portsmouth. She was to have been commanded by Paul Jones. I wish heartily it were possible to give some employment to that brave officer.

The allied army is at present at Verplanck's Point, in good health and spirits. Where is the Marquis de la Fayette ? We have impatiently expected him these four months. Present my compliments to him, General Du Portail, and Viscount de Noailles. Tell the last I congratulate him on his preferment, though it is with difficulty I rejoice at it, since it is to deprive us of the pleasure of seeing him again.

I have written you four private letters since the last I had from you.

I have the honor to be, dear sir,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

Paris, September 18th, 1782.

Dear Sir,

I send you herewith enclosed a copy of a translation of an important letter. The original in French I have not seen, and at present is not accessible to me, though I shall endeavor to get a copy of it, in order the better to decide on the correctness of the translation. I am not at liberty to mention the manner in which this paper came to my hands. To me it appears of importance that it should for the present be kept a profound secret, though I do not see how that is to be done if communicated to the Congress at large, among whom there always have been, and always will be, some unguarded members. I think, however, as I thought before, that your Commissioners here should be left at liberty to pursue the sentiments of their country, and such of their own as may correspond with those of their country.

I am persuaded (and you shall know my reasons for it) that this Court chooses to postpone an acknowledgment of our independence by Britain, to the conclusion of a general peace, in order to keep us under their direction, until not only their and our objects are attained, but also until Spain shall be gratified in her demands to exclude everybody from the Gulf, &c. We ought not let France know that we have such ideas. While they think us free from suspicion, they will be more open, and we should make no other use of this discovery than to put us on our guard. Count de Vergennes would have us treat with Mr. Oswald, though his commission calls us Colonies, and authorises him to treat with any description of men, &c. In my opinion we can only treat as an independent nation, and on an equal footing. I am at present engaged in preparing a statement of objections in a letter to him, so that I have not time to write very particularly to you. The Spanish Ambassador presses me to proceed, but keeps back his powers. I tell him that an exchange of copies of our commissions is a necessary and usual previous step. This Court, as well as Spain, will dispute our extension to the Mississippi. You see how necessary prudence and entire circumspection will be on your side, and if possible secrecy. I ought to add, that Dr. Franklin does not see the conduct of this Court in the light I do, and that he believes they mean nothing in their proceedings but what is friendly, fair, and honorable. Facts and future events must determine which of us is mistaken. As soon as I can possibly have time and health to give you details, you shall have them. Let us be honest and grateful to France, but let us think for ourselves.

With great regard and esteem, I am, &c.,

JOHN JAY.

— — O — —

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, September 18th, 1782.

Dear Sir,

Since closing the despatches you will receive with this, I was honored with yours of June. Nothing material having since occurred, I only write to enclose the annexed resolutions of Congress on the subject of your powers for negotiating. I see by yours that you entertain no hope of a speedy termination of that business, even

though you were then unacquainted with the change that has since taken place in the Administration, and which renders peace a more remote object. It has certainly wrought a great change here. The state of negotiations we are yet to learn, as neither you nor the Doctor have entered into that subject.

I hope my despatches by Mr. Laurens, with the cyphers under his care, have reached you in safety, as very few either of your or Dr. Franklin's letters passed through the channel through which I usually receive them, come to me uninspected. Be pleased to acknowledge the receipt of my letters, that I may know which have reached you.

I am, dear sir,

ROBERT R. LIVINGSTON.

—O—

TO ROBERT R. LIVINGSTON.

Paris, September 28th, 1782.

Dear Sir,

I have only time to inform you that our objections to Mr. Oswald's first commission have produced a second, which arrived yesterday. It empowers him to treat with the Commissioners of the *Thirteen United States of America*. I am preparing a longer letter on this subject, but as this intelligence is interesting, I take the earliest opportunity of communicating it.

With great regard and esteem, I am, &c.,

JOHN JAY.

—O—

TO ROBERT R. LIVINGSTON.

Paris, October 13th, 1782.

Dear Sir,

I hope my letter to you of the 18th of September, of which I also sent a duplicate, has come safe to hand, for it contained important matter, viz., a copy of a letter from M. Marbois to the Count de Vergennes, against our sharing in the fishery.

This Court advised and persuaded us to treat with Mr. Oswald under his first commission. I positively refused.

Count d'Aranda will not or cannot exchange powers with me, and yet wants me to treat with him; this Court would have me do it, but I decline it.

I would give you details, but must not until I have an American to carry my letters from hence.

Mr. Oswald is well disposed. You shall never see my name to a bad peace, nor to one that does not secure the fishery.

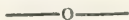
I have received many long letters from you, which I am as busy in decyphering as my health will permit.

M. de la Fayette is very desirous to give us his aid; but as we have a competent number of Commissioners, it would not be necessary to give him that trouble.

I am, dear sir, with great esteem and regard, your most obedient servant,

JOHN JAY.

P. S. General du Portail is to be the bearer of this. I believe he goes by order of the Court.



TO ROBERT R. LIVINGSTON.

Paris, November 17th, 1782.

Dear Sir,

Although it is uncertain when I shall have an opportunity either of finishing or transmitting the long, particular letter which I am now undertaking to write, I think the matter it will contain is too interesting to rest only in my memory, or in short notes, which nobody but myself can well unfold the meaning of. I shall, therefore, write on as my health will permit, and when finished shall convey this letter by the first prudent *American* that may go from hence to Nantes or L'Orient.

My reception here was as friendly as an American Minister might expect from this polite and politic Court; for I think they deceive themselves who suppose that these kind of attentions are equally paid to their private as to their public characters.

Soon after the enabling act was passed I was shown a copy of it, and I confess it abated the expectations I had formed of the intention of the British Ministry to treat in a manly manner with the United States, on the footing of an unconditional acknowledgment of their independence. The act appeared to me to be cautiously framed to elude such an acknowledgment, and, therefore, it would depend on future contingencies and on the terms and nature of the bargain they might be able to make with us.

Mr. Grenville, indeed, told the Count de Vergennes that his Majesty would acknowledge our independence unconditionally; but on being desired to commit that information to writing, he wrote that his Majesty was *disposed* to acknowledge it. This had the appearance of finesse.

About this time—that is, in June last—there came to Paris a Mr. Jones* and a Mr. Paradise, both of them Englishmen, the former a learned and active constitutionalist. They were introduced to me by Dr. Franklin, from whom they solicited recommendations for America. The story they told him was that Mr. Paradise had an estate in the right of his wife in Virginia, and that his presence there had been rendered necessary to save it from the penalty of a law of that State respecting the property of absentees. Mr. Jones said he despaired of seeing constitutional liberty reëstablished in England; that he had determined to visit America, and in that happy and glorious country to seek and enjoy that freedom which was not to be found in Britain. He spoke in raptures of our patriotism, wisdom, &c., &c. On speaking to me some days afterwards of his intended voyage, he assigned an additional reason for undertaking it, viz., that his long and great friendship for Mr. Paradise had induced him to accompany that gentleman on an occasion which, both as a witness and a friend, he could render him most essential services in Virginia.

I exchanged three or four visits with these gentlemen, and, in the mean time, was informed that Mr. Jones was a rising character in England, that he had refused a very lucrative appointment in the Indies, and had by his talents excited the notice of men in power.

In conversing one morning with this gentleman on English affairs, he took occasion to mention the part he had taken in them, and, at parting, gave me two pamphlets he had published.

The first was a second edition of “An Inquiry into the Legal Mode of Suppressing Riots,” &c., first published in 1780, to which was added, “A Speech on the Nomination of Candidates to Represent the County of Middlesex, on the 9th of September, 1780.” And this second edition contained also a letter, dated the 25th of April, 1782, from Mr. Jones to Mr. Yeates, the Secretary to the Society for Constitutional Information, of which Mr. Jones is a member. The

* Afterwards Sir William Jones.

other was a Speech to the assembled Inhabitants of Middlesex and Surry, &c., on the 28th of May, 1782.

As it appeared to me a little extraordinary that a gentleman of Mr. Jones's rising reputation and expectations should be so smitten with the charms of American liberty, as "to leave all, and follow her," I began, on returning to my lodgings, to read these pamphlets with a more than common degree of curiosity, and I was not a little surprised to find the following paragraphs in them :

In his letter to Mr. Yeates of last April, he says, "my future life shall certainly be devoted to the support of that excellent Constitution which it is the object of your society to unfold and elucidate, and from this resolution long and deliberately made, no prospects, no connexions, no station here or abroad, no fear of danger, or hope of advantage to myself, shall ever deter or allure me."

He begins his essay on suppressing riots, by saying, "It has long been my opinion that in times of national adversity, those citizens are entitled to the highest praise, who, by personal exertions and active valor, promote, at their private hazard, the general welfare."

In his speech of last April are these paragraphs—in the first, speaking of his being sick, he says: "It would prevent my attendance, for in health or in sickness I am devoted to your service. I shall never forget the words of an old Roman, Ligarius, who, when the liberties of his country were in imminent danger, and when a real friend to those liberties was condoling with him on his illness at so critical a time, raised himself from his couch, seized the hand of his friend, and said, if you have *any business worthy of yourselves I am well.*"

"Since I have risen to explain a sudden thought, I will avail myself of your favorable attention, and hazard a few words on the general question itself. Numbers have patience to hear, who have not time to read. And as to *myself, a very particular and urgent occasion, which calls me some months from England*, will deprive me of another opportunity to communicate my sentiments, until the momentous object before us shall be made certainly attainable through the concord, or forever lost and irrecoverable, through the disagreement of the nation.

To make comments on these extracts would be to waste time and paper. On reading them, I became persuaded that Mr. Paradise and American liberty were mere pretences to cover a more important

errand to America, and I was surprised that Mr. Jones's vanity should so far get the better of his prudence as to put such pamphlets into my hands at such a time.

I pointed out these extracts to Dr. Franklin; but they did not strike him so forcibly as they had done me. I mentioned my apprehensions also to the Marquis de la Fayette, and I declined giving any letters either to Mr. Paradise or to Mr. Jones.

I am the more particular on this subject, in order that you may the better understand the meaning of a paragraph in my letter to you of the 28th of June last, where I inform you "that, if one may judge from appearances, the Ministry are very desirous of getting some of their emissaries into our country, either in an avowed or in a private character; and, all things considered, I should think it more safe not to admit any Englishman in either character within our lines at this very critical juncture."

Mr. Jones and Mr. Paradise went from hence to Nantes in order to embark there for America. Some weeks afterwards I met Mr. Paradise at Passy. He told me Mr. Jones and himself had parted at Nantes, and that the latter had returned directly to England. How this happened I never could learn. It was a subject on which Mr. Paradise was very reserved. Perhaps the sentiments of America, on General Carleton's overtures, had rendered Mr. Jones's voyage unnecessary; but in this way I may be mistaken for it is mere conjecture.

On the 25th of July, 1782, the King of Great Britain issued a warrant,* or order, directed to his Attorney, or Solicitor-General.

A copy of this warrant was sent by express to Mr. Oswald, with an assurance that the commission should be completed and sent him in a few days. He communicated this paper to Dr. Franklin, who, after showing it to me, sent it to the Count de Vergennes. The Count wrote to the Doctor the following letter on the subject:

Translation.

"I have received, sir, the letter of to-day with which you have honored me, and the copy of the powers, which Mr. Oswald commu-

* See this warrant in the Correspondence of the Commissioners for making Peace under the date here mentioned.

nicated to you. The form in which it is conceived, not being that which is usual, I cannot form my opinion on the first view of it. I am going to examine it with the greatest attention, and, if you will be pleased to come here on Saturday morning, I shall be able to confer about it with you and Mr. Jay, if it should be convenient for him to accompany you.

“I have the honor to be, &c.,

DE VERGENNES.

“Versailles, August 8th, 1782.”

On the 10th of August, we waited upon the Count de Vergennes, and a conference between him and us, on the subject of Mr. Oswald's commission, ensued.

The Count declared his opinion, that we might proceed to treat with Mr. Oswald under it, as soon as the original should arrive. He said it was such a one as we might have expected it would be, but that we must take care to insert proper articles in the treaty to secure our independence and our limits against all future claims.

I observed to the Count that it would be descending from the ground of independence to treat under the description of Colonies. He replied that names signified little; that the King of Great Britain's styling himself the King of France was no obstacle to the King of France's treating with him; that an acknowledgment of our independence, instead of preceding, must in the natural course of things be the effect of the treaty, and that it would not be reasonable to expect the effect before the cause. He added that we must be mindful to exchange powers with Mr. Oswald, for that his acceptance of our powers, in which we were styled Commissioners from the United States of America, would be a tacit admittance of our independence. I made but little reply to all this singular reasoning. The Count turned to Dr. Franklin and asked him what he thought of the matter. The Doctor said he believed the commission would do. He next asked my opinion. I told him that I did not like it, and that it was best to proceed cautiously.

On returning I could not forbear observing to Dr. Franklin that it was evident the Count did not wish to see our independence acknowledged by Britain until they had made all their uses of us. It was easy for them to foresee difficulties in bringing Spain into a peace on moderate terms, and that if we once found ourselves

standing on our own legs, our independence acknowledged, and all our other terms ready to be granted, we might not think it our duty to continue in the war for the attainment of Spanish objects. But on the contrary, as we were bound by treaty to continue the war till our independence should be attained, it was the interest of France to postpone that event until their own views and those of Spain could be gratified by a peace, and that I could not otherwise account for the Minister's advising us to act in a manner inconsistent with our dignity, and for reasons which he himself had too much understanding not to see the fallacy of.

The Doctor imputed this conduct to the moderation of the Minister, and to his desire of removing every obstacle to speedy negotiations for peace. He observed that this Court had hitherto treated us very fairly, and that suspicions to their disadvantage should not be readily entertained. He also mentioned our instructions as further reasons for our acquiescence in the advice and opinion of the Minister. A day or two afterwards I paid a visit to Mr. Oswald, and had a long conversation with him respecting his commission. On the resignation of Mr. Fox, many reports to the prejudice of Lord Shelburne's sincerity on the subject of American independence had spread through France as well as through Great Britain. His Lordship, fearful of their effect on the confidence with which he wished to inspire the American Commissioners, conveyed by Mr. Benjamin Vaughan to Dr. Franklin an extract of certain instructions to Sir Guy Carleton, of which the following is a copy, viz :

“ *June 25th, 1782.*—It has been said ‘that great effects might be obtained by something being done *spontaneously* from England.’ Upon this and other considerations, his Majesty has been induced to give a striking proof of his royal magnanimity and disinterested wish for the restoration of peace, by commanding his Majesty's Ministers to direct Mr. Grenville *that the independence of America should be proposed by him in the first instance, instead of making it the condition of a general peace.*

“I have given a confidential information to you of these particulars that you may take such measures as shall appear to you most advisable for making a direct communication of the substance of the same, either immediately to Congress, or through the medium of General Washington, or in any other manner which you may think

most likely to impress the well-disposed parts of America with the fairness and liberality of his Majesty's proceedings in such great and spontaneous concessions.

“The advantages which we may expect from such concessions are, that America, once apprized of the King's disposition to acknowledge the independence of the thirteen States, and of the disinclination in the French Court to terminate the war, must see that it is from this moment to be carried on with a view of negotiating points in which she can have no concern, whether they regard France, or Spain and Holland at the desire of France; but some of which, on the contrary, may be in future manifestly injurious to the interests of America herself.

“That if the negotiation is broken off, it will undoubtedly be for the sake of those Powers, and not America, whose object is accomplished the instant she accepts of an independence which is not merely held out to her in the way of negotiation by the executive Power, but a distinct unconditional offer arising out of the resolutions of Parliament, and therefore warranted by the sense of the nation at large.

“These facts being made notorious, it is scarce conceivable that America, composed as she is, will continue efforts under French direction, and protract the distresses and calamities which it is well known that war has subjected her to. It is to be presumed that from that moment she will look with jealousy on the French troops in that country, who may from allies become dangerous enemies.

“If, however, any particular States, men, or description of men, should continue, against the general inclination of the Continent, devoted to France, this communication will surely detect their views, expose their motives, and deprive them of their influence in all matters of general concern and exertion. You will, however, take particular care in your manner of conducting yourselves, not only that there should not be the smallest room for suspicions of our good faith and sincerity, but that we have no view in it of causing dissensions among the Colonies, or even of separating America from France upon terms inconsistent with her own honor. You must, therefore, convince them that the great object of this country is, not merely peace, but reconciliation with America on the noblest terms and by the noblest means.”

In the course of the beforementioned conversation with Mr.

Oswald, I reminded him that the judgment and opinion of America respecting the disposition and views of Britain towards her, must be determined by facts and not by professions. That the enabling act, and the commission granted to him in pursuance of it, by no means harmonized with the language of these instructions to Sir Guy Carleton. That unless the offers and promises contained in the latter were realized by an immediate declaration of our independence, America would naturally consider them as specious appearances of magnanimity calculated to deceive and disunite them, and instead of conciliating, would tend to irritate the States. I also urged, in the strongest terms, the great impropriety, and consequently the utter impossibility, of our ever treating with Great Britain on any other than an equal footing, and told him plainly that I would have no concern in any negotiation in which we were not considered as an independent people.

Mr. Oswald upon this, as upon every other occasion, behaved in a candid and proper manner. He saw and confessed the propriety of these remarks; he wished his commission had been otherwise, but was at a loss how to reconcile it to the King's dignity, to make *such* a declaration immediately after having issued *such* a commission. I pointed out the manner in which I conceived it might be done; he liked the thought, and desired me to reduce it to writing. I did so, and communicated it to Dr. Franklin, and, as we corrected it, is as follows, viz:

“George III, &c., to Richard Oswald, greeting. Whereas by a certain act, &c., (here follows the enabling act.)

“And whereas, in pursuance of the true intent and meaning of the said act, and to remove all doubts and jealousies, which might otherwise retard the execution of the same, we did, on the day of instruct Sir Guy Carleton, &c., our General, &c., to make known to the people of the said Colonies, in Congress assembled, our royal disposition and intention to recognise the said Colonies as independent States, and as such, to enter with them into such a treaty of peace as might be honorable and convenient to both countries.

“And whereas further, in pursuance of the said act, we did on the day of , authorise and commission you, the said Richard Oswald, (here follows the commission.) Now, therefore, to the end that a period may be put to the calamities of war, and peace,

commerce, and mutual intercourse the more speedily restored, we do hereby, in pursuance of our royal word, for ourselves and our successors, recognise the said thirteen Colonies as free and independent States. And it is our will and pleasure that you do forthwith proceed to treat with the Commissioner or Commissioners already appointed, or to be appointed for that purpose by the Congress of the said States, and, with him or them only, of and concerning the objects of your said commission, which we do hereby confirm, and that this declaration be considered by you as a preliminary article to the proposed treaty, and be in substance or in the whole inserted therein, or incorporated therewith. And it is our further will and pleasure that, on receiving these presents, which we have caused to be made patent, and our great seal to be hereunto affixed, you do deliver the same to the said Commissioner or Commissioners, to be by him or them transmitted to the Congress of the United States of America, as an earnest of the friendship and good will which we are disposed to extend to them. Witness, &c., 15th of August, 1782."

Mr. Oswald approved of the draft, and said he would recommend the measure to the Minister. The next day, however, he told me that he had an instruction, which he thought enabled him to make the declaration; but that it would be necessary to obtain the previous consent of the Minister for that purpose. He then read to me the fourth article of his instructions, of which the following is a copy, viz:

"In case you find the American Commissioners are not at liberty to treat on any terms short of independence, you are to declare to them, that you have our authority to make that cession; our ardent wish for peace disposing us to purchase it at the price of acceding to the complete independence of the thirteen Colonies."

He said he would immediately despatch a courier to London, and would press the Ministry for permission to acknowledge our independence without further delay, which he accordingly did.

At this time the commission under the great seal had arrived, and Dr. Franklin and myself went to Versailles to communicate that circumstance to the Count de Vergennes, and (agreeably to our instructions) to inform him of what had passed between Mr. Oswald and us.

The Count and myself again discussed the propriety of insisting that our independence should be acknowledged previous to a treaty. He repeated, that it was expecting the effect before the cause, and many other similar remarks, which did not appear to me to be well founded. I told the Count that a declaration of our independence was, in my opinion, a matter of very little consequence; that I did not consider our independence as requiring any aid or validity from British acts; and provided, that nation treated us as she treated other nations, viz., on a footing of equality, it was all that I desired. He differed with me also in this opinion. He thought an explicit acknowledgment of our independence in treaty very necessary, in order to prevent our being exposed to further claims. I told him we should always have arms in our hands to answer those claims, that I considered mere paper fortifications as of but little consequence; and that we should take care to insert an article in the treaty, whereby the King of Great Britain should renounce all claims of every kind to the countries within our limits.

The Count informed us he had delayed doing business with Mr. Fitzherbert until we should be ready to proceed with Mr. Oswald, and that he expected to see him the next day or the day after.

Mr. Fitzherbert went the next day to Versailles, and immediately despatched a courier to London.

The answer of the British Ministry to Mr. Oswald is contained in the following extract of a letter to him from Mr. Townshend, dated Whitehall, September 1st, 1782:

“ Sir,

“ I have received and laid before the King your letters of the 17th, 18th, and 21st ultimo, and I am commanded to signify to you his Majesty’s approbation of your conduct, in communicating to the American Commissioners the fourth article of your instructions; which could not but convince them that the negociation for peace, and the cession of independence to the thirteen United Colonies, were intended to be carried on and concluded with the Commissioners in Europe.

“ Those gentlemen having expressed their satisfaction concerning that article, it is hoped they will not entertain a doubt of his Majesty’s determination to exercise in the fullest extent the powers with which the act of Parliament has invested him, by granting to

America full, complete, and unconditional independence, in the most explicit manner, as an article of treaty."

When Mr. Oswald communicated this letter to me, I did not hesitate to tell him that his Court was misled by this, for that the language of Mr. Townshend corresponded so exactly with that of the Count de Vergennes, and was at the same time so contrary to that of the instructions to Sir Guy Carleton, as to be inexplicable on any other principle. I also told him I suspected that the courier despatched by Mr. Fitzherbert on his return from Versailles had been the means of infusing these ideas. He smiled, and after a little pause said, why, Count de Vergennes told Mr. Fitzherbert that my commission was come, and that he thought it would do, and therefore they might now go on, and accordingly they did go on to discuss certain points, and particularly that of Newfoundland.

Mr. Oswald did not deny or contradict the inference I drew from this, viz: that Mr. Fitzherbert, struck by this conduct of Count de Vergennes, and finding that the commission given to Mr. Oswald was deemed sufficient by him, thought it his duty directly to inform his Court of it, and thereby prevent their being embarrassed by our scruples and demands on a point on which there was so much reason to think that our allies were very moderate.

For my own part I was not only persuaded that this was the case, but also that the ill success of Mr. Oswald's application was owing to it.

These considerations induced me to explain to him what I supposed to be the natural policy of this Court on the subject, and to show him that it was the interest of Britain to render us as independent on France as we were resolved to be on her. He soon adopted the same opinion, but was at a loss to see in what manner Great Britain, considering what had just past, could consistently take further steps at present. I told him that nothing was more easy, for that the issuing of another commission would do it. He asked me if he might write that to the Ministry; I told him he might; he then desired, in order to avoid mistakes, that I would give it to him in writing, which I did as follows, viz:

"A commission (in the usual form) to Richard Oswald to treat of peace or truce with Commissioners, vested with equal powers by and on the part of the United States of America, would remove the

objections to which his present one is liable, and render it proper for the American Commissioners to proceed to treat with him on the subject of preliminaries."

I then reminded him of the several resolutions of Congress, passed at different periods, not to treat with British Commissioners on any other footing than that of absolute independence, and also intimated that I thought it would be best to give him our final and decided determination not to treat otherwise in writing, in the form of a letter. He preferred this to a verbal answer, and the next day I prepared the following draft of such a letter:

"Sir,

"It is with regret that we find ourselves obliged, by our duty to our country, to object to entering with you into negociations for peace on the plan proposed. One nation can treat with another nation only on terms of equality; and it cannot be expected that we should be the first and only servants of Congress who would admit doubts of their independence.

"The tenor of your commission affords matter for a variety of objections, which your good sense will save us the pain of enumerating. The Journals of Congress present to you unequivocal and uniform evidence of the sentiments and resolutions of Congress on the subject, and their positive instructions to us to speak the same language.

"The manner of removing these obstacles is obvious, and in our opinion no less consistent with the dignity than the interest of Great Britain. If the Parliament meant to enable the King to conclude a peace with us on terms of independence, they necessarily meant to enable him to do it in a manner compatible with his dignity; and consequently that he should previously regard us in a point of view that would render it proper for him to negotiate with us. What this point of view is, you need not be informed.

"We also take the liberty of submitting to your consideration, how far his Majesty's now declining to take this step would comport with the assurances lately given on that subject, and whether hesitation and delay would not tend to lessen the confidence which those assurances were calculated to inspire.

"As to referring an acknowledgment of our independence to the first article of a treaty, permit us to remark, that this implies that we

are not to be considered in that light until after the conclusion of the treaty, and our acquiescing would be to admit the propriety of our being considered in another light during that interval. Had this circumstance been attended to, we presume that the Court of Great Britain would not have pressed a measure which certainly is not delicate, and which cannot be reconciled with the received ideas of national honor.

“You may rest assured, sir, of our disposition to peace on reasonable terms, and of our readiness to enter seriously into negotiations for it, as soon as we shall have an opportunity of doing it in the only manner in which it is possible for one nation to treat with another, viz., on an equal footing.

“Had you been commissioned in the usual manner, we might have proceeded; and as we can perceive no legal or other objection to this, or some other such like expedient, it is to be wished that his Majesty will not permit an obstacle so very unimportant to Great Britain, but so essential and insuperable with respect to us, to delay the reëstablishment of peace especially, and in case the business could be but once begun, the confidence we have in your candor and integrity would probably render the settling all our articles only the work of a few hours.

“We are, &c.”

I submitted this draft to Dr. Franklin's consideration. He thought it rather too positive, and therefore rather imprudent, for that in case Britain should remain firm, and future circumstances should compel us to submit to their mode of treating, we should do it with an ill grace after such a decided and peremptory refusal. Besides, the Doctor seemed to be much perplexed and fettered by our instructions to be guided by the advice of this Court. Neither of these considerations had weight with me; for as to the first, I could not conceive of any event which would render it proper, and therefore possible, for America to treat in any other character than that of an independent nation; and as to the second, I could not believe that Congress intended we should follow any advice which might be repugnant to their dignity and interest.

On returning to town, Mr. Oswald spoke to me about this letter. I told him that I had prepared a draft of one, but that, on further consideration and consulting with Dr. Franklin, we thought it best

not to take the liberty of troubling his Court with any arguments or reasonings, which without our aid must be very evident to them.

He appeared disappointed, and desired me to let him see the draft. I did. He liked it; he requested a copy of it; but as I doubted the propriety of such a step, I told him I would consider of it, and give him an answer the next day.

It appeared to me on further reflection, that no bad consequences would arise from giving him a copy of this paper; that though unsigned it would nevertheless convey to the Ministry the sentiments and opinions I wished to impress, and that if finally they should not be content to treat with us as independent, they were not yet ripe for peace or treaty with us; besides, I could not be persuaded that Great Britain, after what the House of Commons had declared, after what Mr. Grenville had said, and Sir Guy Carleton been instructed to do, would persist in refusing to admit our independence, provided they really believed that we had firmly resolved not to treat on more humble terms.

I gave him a copy, and also copies of the various resolutions of Congress, which evince their adherence to their independence. These papers he sent by express to London, and warmly recommended the issuing a new commission to remove all further delay. This matter was not communicated to the Count de Vergennes, at least to my knowledge or belief, by either of us.

I might now enumerate the various expedients proposed by the Count de Vergennes and the Marquis de la Fayette to reconcile our difficulties. Such as Mr. Oswald's writing a letter to us, signifying that he treated with us as independent, &c., &c. But as our independence was indivisible, there could not easily be contrived a half-way mode of acknowledging it, and therefore any method of doing it short of the true and proper one could not bear examination.

Being convinced that the objections to our following the advice of the Count de Vergennes were unanswerable, I proposed to Dr. Franklin that we should state them in a letter to him, and request his answer in writing; because, as we were instructed to ask and to follow his advice on these occasions, we ought always to be able to show what his advice was.

The Doctor approved of the measure, and I undertook to prepare a draft of such a letter.

I must now remind you of what some of my former letters

informed you, viz., the propositions made to me by the Count d'Aranda on the part of Spain. It is necessary that I should in this place go into that detail, because they will be found in the sequel to be strongly connected with the subject more immediately under consideration.

On my arrival at Paris, in June last, it being doubtful whether if I made a visit to Count d'Aranda he would return it, I thought it most advisable to avoid that risk, and to write him the following letter :

To Count d'Aranda.

“ Paris, June 25th, 1782.

“ Sir,

“ On leaving Madrid his Excellency the Count de Florida Blanca informed me that the papers relative to the objects of my mission there had been transmitted to your Excellency, with authority and instructions to treat with me on the subject of them.

“ I arrived here the day before yesterday, and have the honor to acquaint your Excellency of my being ready to commence the necessary conferences at such time and place as your Excellency may think proper to name.

“ Your Excellency's character gives me reason to hope that the negotiation in question will be conducted in a manner agreeable to both our countries; and permit me to assure you that nothing on my part shall be wanting to manifest the respect and consideration with which I have the honor to be, &c.,

“ JOHN JAY.”

The following is a copy of the Count's answer :

Translation.

“ Paris, June 27th, 1782.

“ Sir,

“ I have the honor to reply to your note of the 25th, informing me of your happy arrival at this Court. I shall also have the honor to receive you, when you shall intimate that it is proper, and whenever you will inform me of your intention, so that I may expect you at whatever hour shall be most convenient to you.

“ I shall be pleased to make your acquaintance, and to assure you of the respect with which I have the honor, &c.,

“ THE COUNT D'ARANDA.”

It having been intimated to Dr. Franklin that if we paid a visit to Count d'Aranda it would be returned, we waited on him on the 29th of June. He received us in a friendly manner, and expressed his wishes that closer connexion might be formed between our countries on terms agreeable to both.

He returned our visit the next day, and gave us an invitation to dine with him a few days afterwards. On that day I was taken sick and continued so for many weeks, nor, indeed, am I yet perfectly recovered from the effects of that illness, having a constant pain in my breast, and frequently a little fever.

Hence it happened that I did not meet Count d'Aranda on business till a month afterwards, when, agreeably to a previous appointment, I waited upon him.

He began the conference by various remarks on the general principles on which contracting nations should form treaties, on the magnanimity of his Sovereign, and on his own disposition to disregard trifling considerations in great matters. Then opening Mitchell's large map of North America, he asked me what were our boundaries. I told him that the boundary between us and the Spanish dominions was a line drawn from the head of Mississippi, down the middle thereof to the thirty-first degree of north latitude, and from thence by the line between Florida and Georgia.

He entered into a long discussion of our right to such an extent, and insisted principally on two objections to it. 1st. That the western country had never belonged to, or been claimed as belonging to the ancient Colonies. That previous to the last war it had belonged to France, and after its cession to Britain remained a distinct part of her dominions, until by the conquest of West Florida and certain posts on the Mississippi and Illinois, it became vested in Spain. 2dly. That supposing the Spanish right of conquest did not extend over *all* that country, still that it was possessed by free and independent nations of Indians, whose lands we could not with any propriety consider as belonging to us. He therefore proposed to run a longitudinal line on the east side of the river for our western boundary; and said that he did not mean to dispute about a few acres or miles, but wished to run it in a manner that would be convenient to us; for though he could never admit the extent we claimed, yet he did not desire to crowd us up to our exact limits.

As it did not appear to me expedient to enter fully into the discussion of these objections, until after he had marked the line he proposed, I told him I would forbear troubling him with any remarks on the subject until the points in controversy should be reduced to a certainty; and, therefore, I desired him to mark on the map the line he proposed, and to place it as far to the west as his instructions would possibly admit of. He promised to do it, and to send me the map with his proposed line marked on it in a day or two.

I then gave him a copy of my commission, and showed him the original. He returned it to me with expressions of satisfaction, and then changed the subject by desiring me, if after receiving his map and examining his lines, I should find it in any respect inconvenient, that I would mark such other line on it as would, in my opinion, be more agreeable to America; assuring me that he had nothing more at heart than to fix such a boundary between us as might be satisfactory to both parties. I told him that on receiving his map, I would take all that he had said into consideration, and take the earliest opportunity of acquainting him with my sentiments respecting it. I then observed that I hoped his powers to treat were equal with mine. He replied that he had ample powers to confer, but not to sign any thing without previously communicating it to his Court, and receiving their orders for the purpose; but to my surprise, he did not offer to show me any powers of any kind.*

A few days afterwards he sent me the same map, with his proposed line marked on it in red ink. He ran it from a lake near the confines of Georgia, but east of the Flint river, to the confluence of the Kanawa with the Ohio, thence round the western shores of Lakes Erie and Huron, and thence round Lake Michigan to Lake Superior.

On the 10th of August I carried this map to the Count de Vergennes and left it with him. Dr. Franklin joined with me in pointing out the extravagance of this line; and I must do him the justice to say, that in all his letters to me, and in all his conversa-

* When the treaty was made with France, M. Gerard, who negociated it on the part of the French Court, did not show his commission to treat till the Commissioners met him for the last time, and just before the signing of the treaty. Mr. Jay was more particular, however, on this point, and seemed disinclined to commence the negociation in any form till the powers had been exchanged.

tions with me respecting our western extent, he has invariably declared it to be his opinion, that we should insist upon the Mississippi as our western boundary, and that we ought not, by any means, to part with our right to the free navigation of it.

The Count de Vergennes was very cautious and reserved; but M. Rayneval, his principal Secretary, who was present, thought we claimed more than we had a right to.

Having thus clearly discovered the views of Spain, and that they were utterly inadmissible, I had little hope of our ever agreeing; especially as the Mississippi was, and ought to be, our *ultimatum*.

It was not long before I had another interview with M. Rayneval. He asked me whether I had made any progress in my negotiations with the Count d'Aranda. I told him that the Count had not yet shown me any powers from his Court to treat. He expressed surprise that I should have any difficulties on that head; especially considering the public as well as private character of that nobleman. I replied that I was very sensible of the respectability both of his public and private character; but that neither the one nor the other authorised him to negotiate treaties with the United States of America; and consequently, that his Court would be at liberty to disavow all his proceedings in such business. That it was my duty to adhere to the forms usual in such cases, and that those forms rendered it proper for Ministers to exchange copies of their commissions before they proceeded on the business which was the object of them.

The Count d'Aranda was very urgent that I should mark on his map some line or other to the eastward of the Mississippi to which we could agree; and on the 26th of August we had another conference on these subjects. I told him frankly that we were bound by the Mississippi, and that I had no authority to cede any territories east of it to his Catholic Majesty, and that all I could do relative to it was to transmit his proposition to Congress for their consideration.

He affected to be much surprised that I should have no discretionary authority on that subject, and observed that he had supposed I was a Minister Plenipotentiary. I told him that few Ministers Plenipotentiary had discretionary power to transfer and cede to others the countries of their Sovereigns. He denied that the

countries in question were our countries, and asked what right we had to territories which manifestly belong to free and independent nations of Indians. I answered that those were points to be discussed and settled between us and them; that we claimed the right of preëmption with respect to them, and the sovereignty with respect to all other nations. I reminded him that Mexico and Peru had been in the same predicament, and yet that his Catholic Majesty had had no doubts of his right to the sovereignty of those countries.

He then desired me to write him a letter on the subject, in order that he might with the greater accuracy convey my sentiments to his Court.

On the 4th of September I received the following letter from M. de Rayneval:

Translation.

“Versailles, September 4th, 1782.

“Sir,

“I should be glad to have a conversation with you on the subject of the boundaries in regard to Spain, but it is impossible for me to go to Paris for this purpose. You would oblige me if you would have the goodness to come to Versailles to-morrow morning. It will give me great pleasure to see you at dinner. Meanwhile I have the honor, &c.,

RAYNEVAL.”

I accordingly waited on M. de Rayneval. He entered into a long disquisition of our claims to the western country. It is unnecessary to repeat in this place what he said on those subjects, because I shall insert in this letter a copy of a paper which at my request he wrote to me on them. That paper will speak for itself. You will be at no loss to form a judgment of the mode in which he proposed to reconcile us, by what he called a conciliatory line. We discussed very freely the propriety of my objecting to proceed with the Count d'Aranda; and among other reasons which induced him to think I ought to go on, was my having already conferred with him on those subjects. My answer to this was obvious, viz: that though I had heard Count d'Aranda's propositions, yet that I had offered none of any kind whatever.

On the 6th of September M. de Rayneval wrote me the following letter:

M. de Rayneval to John Jay.

Translation.

"Versailles, September 6th, 1782.

"I have the honor, sir, to send you as you desired me my personal ideas on the manner of terminating your discussions about limits with Spain. I hope they will appear to you worthy to be taken into consideration.

"I have reflected, sir, on what you said to me yesterday of the Spanish Ambassador's want of powers. You cannot in my opinion urge that reason to dispense treating with that Ambassador, without offending him, and without contradicting the first step you have taken towards him. This reflection leads me to advise you again to see the Count d'Aranda, and to make him a proposition of some sort or other on the object in question. That which results from my memoir appears to me the most proper to effect a reasonable conciliation; but it is for you to judge whether I am mistaken, because you alone have a knowledge of the title, which the United States can have to extend their possessions at the expense of nations, whom England herself has acknowledged to be independent.

"As to the rest, sir, whatever use you may think proper to make of my memoir, I pray you to regard it at least as a proof of my zeal, and of my desire to be useful to the cause of your country.

"I have the honor to be, with perfect consideration, yours, &c.,
&c.,

RAYNEVAL."

"P. S. As I shall be absent for some days, I pray you to address your answer to M. ~~St~~enin, Secretary to the Council of State, at Versailles.

"I must desire you not to let the perusal of the following memoir make you forget the postscript of the above letter, for in the sequel you will find it of some importance."

M. de Rayneval's Memoir respecting the Right of the United States to the Navigation of the Mississippi.

Translation.

"The question between Spain and the United States of North

America is, how to regulate their respective limits towards the Ohio and the Mississippi. The Americans pretend that their dominion extends as far as the Mississippi, and Spain maintains the contrary.

“It is evident that the Americans can only borrow from England the right they pretend to have to extend as far as the Mississippi; therefore, to determine this right, it is proper to examine what the Court of London has thought and done on this head.

“It is known, that before the treaty of Paris, France possessed Louisiana and Canada, and that she considered the savage people, situated to the east of the Mississippi, either as independent, or as under her protection.

“This pretension caused no dispute; England never thought of making any, except as to the lands situated towards the source of the Ohio, in that part where she had given the name of Alleghany to that river.

“A discussion about limits at that time took place between the Courts of Versailles and London, but it would be superfluous to follow the particulars; it will suffice to observe, that England proposed in 1755 the following boundary. It set out from the point where the River de Boeuf falls into the Ohio, at the place called Venango; it went up this river towards Lake Erie as far as twenty leagues, and setting off again from the same place, Venango, a right line was drawn as far as the last mountains of Virginia, which descend towards the ocean. As to the savage tribes situated between the aforesaid line and the Mississippi, the English Minister considers them as independent; from whence it follows, that according to the very propositions of the Court of London, almost the whole course of the Ohio belonged to France, and that the countries situated to the westward of the mountains were considered as having nothing in common with the Colonies.

“When peace was negotiated in 1761, France offered to make a cession of Canada to England. The regulation of the limits of this Colony and Louisiana was in question. France pretended that almost the whole course of the Ohio made a part of Louisiana, and the Court of London, to prove that this river belonged to Canada, produced several authentic papers; among others, the chart which M. Vaudreuil delivered to the English commandant when he abandoned Canada. The Minister of London maintained at the same time, that a part of the savages situated to the eastward of the

Mississippi were independent, another part under its protection, and that England had purchased a part from the five Irequois nations. The misfortunes of France cut these discussions short; the treaty of Paris assigned the Mississippi for the boundary between the possessions of France and Great Britain.

“Let us see the dispositions which the Court of London has made in consequence of the treaty of Paris.

“If they had considered the vast territories situated to the eastward of the Mississippi as forming part of their ancient Colonies, they would have declared so, and have made their dispositions accordingly. So far from any such thing, the King of England, in a proclamation of the month of October, 1763, declares in a precise and positive manner that the lands in question are situated between the Mississippi and the ancient *English establishments*. It is, therefore, clearly evident, that the Court of London itself, when it was as yet sovereign of the thirteen Colonies, did not consider the aforementioned lands as forming part of these same Colonies; and it results from this in the most demonstrative manner, that they have not at this time any right over these lands. To maintain the contrary, every principle of the laws of nature and nations must be subverted.

“The principles now established are as applicable to Spain as to the United States. This power cannot extend its claims beyond the bounds of its conquests. She cannot, therefore, pass beyond the Natchez, situated towards the thirty-first degree of latitude; her rights are, therefore, confined to this degree; what is beyond, is either independent or belonging to England; neither Spain nor the Americans can have any pretensions thereto. The future treaty of peace can alone regulate the respective rights.

“The consequence of all that has been said is, that neither Spain nor the United States has the least right of sovereignty over the savages in question, and that the transactions they may carry on as to this country would be to no purpose.

“But the future may bring forth new circumstances, and this reflection leads one to suppose that it would be of use that the Court of Madrid and the United States should make an eventual arrangement.

“This arrangement may be made in the following manner. A right line should be drawn from the eastern angle of the Gulf of Mexico, which makes the section between the two Floridas, to Fort

Toulouse, situated in the country of the Alabamas ; from thence the river Loneshatchi should be ascended, from the mouth of which a right line should be drawn to the Fort or Factory Quenasse ; from this last place the course of the river Euphaseè is to be followed till it joins the Cherokee ; the course of this last river is to be pursued to the place where it receives the Pelisippi ; this last to be followed to its source, from whence a right line is to be drawn to Cumberland river, whose course is to be followed until it falls into the Ohio. The savages to the westward of the line described should be free under the protection of Spain ; those to the eastward should be free, and under the protection of the United States ; or rather, the Americans may make such arrangements with them, as is most convenient to themselves. The trade should be free to both parties.

“ By looking over the chart we shall find that Spain would lose almost the whole course of the Ohio, and that the establishments which the Americans may have on this river would remain untouched, and that even a very extensive space remains to form new ones.

“ As to the course and navigation of the Mississippi, they follow with the property, and they will belong, therefore, to the nation to which the two banks belong. If then, by the future treaty of peace, Spain preserves West Florida, she alone will be the proprietor of the course of the Mississippi from the thirty-first degree of latitude to the mouth of this river. Whatever may be the case with that part which is beyond this point to the north, the United States of America can have no pretensions to it, not being masters of either border of this river.

“ As to what respects the lands situated to the northward of the Ohio, there is reason to presume that Spain can form no pretensions thereto. Their fate must be regulated with the Court of London.”

I did not return M. Rayneval any answer to his letter, nor any remarks on his memoir, but the first time I saw him afterwards I told him I had received his letter and memoir he had done me the honor to write, and that I should send a copy of it to our Secretary for Foreign Affairs.

As both the letter and memoir were *ostensibly* written by him in a private character, it did not appear to me expedient or necessary to enter into any formal discussions with him on those subjects.

The perusal of this memoir convinced me,

1st. That this Court would, at a peace, oppose our extension to the Mississippi.

2dly. That they would oppose our claim to the free navigation of that river.

3dly. That they would *probably* support the *British* claims to all the country above the thirty-first degree of latitude, and *certainly* to all the country north of the Ohio.

4thly. That in case we should not agree to divide with Spain in the manner proposed, that then this Court would aid Spain in negotiating with Britain for the territory she wanted, and would agree that the residue should remain to Britain.

In my opinion, it was not to be believed that the first and confidential Secretary of the Count de Vergennes would without his knowledge and consent declare such sentiments and offer such propositions, and that, too, in writing. I therefore considered M. Rayneval as speaking the sentiments of the Minister, and I confess they alarmed me, especially as they seemed naturally to make a part of that system of policy, which I believed induced him rather to postpone the acknowledgment of our independence by Britain to the conclusion of a general peace, than aid us in procuring it at present.

You will now be pleased to recollect the postscript to M. Rayneval's letter.

On the 9th of September I received certain information that on the 7th, M. Rayneval had left Versailles, and was gone to England ; that it was pretended he was gone into the country, and that several precautions had been taken to keep his real destination a secret.

A former page in this letter informs you that a little before this Mr. Oswald had despatched a courier with letters, recommending it to his Court to issue a new commission styling us *United States*, and that I had agreed to prepare a letter to the Count de Vergennes, stating our objections to treat with Mr. Oswald under his present one.

This, therefore, was a period of uncertainty and suspense, and whatever part Britain might take, must necessarily be followed by very important consequences. No time was, therefore, to be lost in counteracting what I supposed to be the object of M. Rayneval's

journey. But before I enter into that detail, I must here insert a copy of the letter which I wrote to the Count d'Aranda, agreeably to his request herein beforementioned.

To the Count d'Aranda.

“ Paris, September 10, 1782.

“ Sir,

“ Agreeably to your Excellency's request, I have now the honor of repeating in writing, that I am not authorized by Congress to make any cession of any counties belonging to the United States, and that I can do nothing more respecting the line mentioned by your Excellency, than to wait for and to follow such instructions as Congress, on receiving that information, may think proper to give me on that subject.

“ Permit me, nevertheless, to remind your Excellency that I have full power to confer, treat, agree, and conclude with the Ambassador or Plenipotentiary of his Catholic Majesty, *vested with equal powers*, of and concerning a treaty of amity and commerce and of alliance, on principles of equality, reciprocity, and mutual advantage.

“ I can only regret, that my overtures to his Excellency the Count de Florida Blanca, who was *ex officio* authorised to confer with me on such subjects, have been fruitless.

“ It would give me pleasure to see this business begun, and I cannot omit this opportunity of assuring your Excellency of my wish and desire to enter upon it as soon as your Excellency shall be pleased to inform me that you are authorised, and find it convenient to proceed.

“ I have the honor to be, &c.,

JOHN JAY.”

To this letter the Count returned the following answer :

Count d'Aranda to John Jay.

Translation.

“ Sir,

“ I have the honor to reply to your note of yesterday, that I am furnished with ample instructions from my Court, and am authorised by it to confer and treat with you on all points on which you may be instructed and authorised to treat by your constituents.

“As soon as you communicate your propositions, they will be examined, and I will submit to you my observations on them, in order that we may be able to agree on both sides.

“I have the honor to be, &c.,

“THE COUNT D'ARANDA.”

On the same day, viz., the 10th of September, a copy of a translation of a letter from M. Marbois to the Count de Vergennes, against our sharing in the fishery, was put into my hands. Copies of it were transmitted to you, enclosed with my letter of the 18th of September, of which a duplicate was also forwarded.

I also learned from good authority, that on the morning of M. Rayneval's departure the Count d'Aranda had, contrary to his usual practice, gone with *post horses* to Versailles, and was two or three hours in conference with the Count de Vergennes and M. Rayneval before the latter set out.

All these facts taken together led me to conjecture, that M. Rayneval was sent to England for the following purposes :

1st. To let Lord Shelburne know that the demands of America to be treated by Britain as independent previous to a treaty, were not approved or countenanced by this Court, and that the offer of Britain to make that acknowledgment in an article of the proposed treaty was in the Count's opinion sufficient.

2dly. To sound Lord Shelburne on the subject of the fishery, and to discover whether Britain would agree to divide it with France to the exclusion of all others.

3dly. To impress Lord Shelburne with the determination of Spain to possess the exclusive navigation of the Gulf of Mexico, and of their desire to keep us from the Mississippi; and also to hint the propriety of such a line as on the one hand would satisfy Spain, and on the other leave to Britain all the country north of the Ohio.

4thly. To make such other verbal overtures to Lord Shelburne as it might not be advisable to reduce to writing, and to judge, from the general tenor of his Lordship's answers and conversation, whether it was probable that a general peace, on terms agreeable to France, could be effected, in order that, if that was not the case, an immediate stop might be put to the negotiation.

Having, after much consideration, become persuaded that these were M. Rayneval's objects, I mentioned his journey to Mr. Oswald,

and after stating to him the first three of these objects, I said every thing respecting them that appeared to me necessary ; but at the same time with a greater degree of caution than I could have wished, because I well knew it would become the subject of a long letter to the Ministry. On reflecting, however, how necessary it was that Lord Shelburne should know our sentiments and resolutions respecting these matters, and how much better they could be conveyed in conversation than by letter, and knowing also that Mr. Vaughan was in confidential correspondence with him, and he was and always had been strongly attached to the American cause, I concluded it would be prudent to prevail upon him to go immediately to England.

I accordingly had an interview with Mr. Vaughan, and he immediately despatched a few lines to Lord Shelburne, desiring that he would delay taking any measures with M. Rayneval until he should either see or hear further from him.

Mr. Vaughan agreed to go to England, and we had much previous conversation on the points in question, the substance of which was :

That Britain, by a peace with us, certainly expected other advantages than a mere suspension of hostilities, and that she doubtless looked forward to cordiality, confidence, and commerce.

That the manner as well as the matter of the proposed treaty was therefore of importance, and that if the late assurances respecting our independence were not realized by an unconditional acknowledgment, neither confidence nor peace could reasonably be expected ; that this measure was considered by America as the touchstone of British sincerity, and that nothing could abate the suspicions and doubts of her good faith which prevailed there.

That the interest of Great Britain, as well as that of the Minister, would be advanced by it ; for as every idea of conquest had become absurd, nothing remained for Britain to do but to make friends of those whom she could not subdue ; that the way to do this was by leaving us nothing to complain of, either in the negociation or in the treaty of peace, and by liberally yielding every point essential to the interest and happiness of America ; the first of which points was, that of treating with us on an equal footing.

That if the Minister really meant to make peace with us, it was his interest to make us believe so, and thereby inspire us with a certain degree of confidence which could no otherwise be obtained ;

that his enemies charged him with insincerity on this very point, and that it must be useful to him to convince all the world that such a charge was groundless.

That it would be vain to amuse themselves with expectations from the affected moderation of France on this head; for that America never would treat on any but an equal footing, and therefore, although such expectations might cause delay, they would ultimately be fruitless.

That a little reflection must convince him that it was the interest, and consequently the policy of France to postpone, if possible, the acknowledgment of our independence to the very conclusion of a general peace, and, by keeping it suspended until after the war, *oblige us, by the terms of our treaty, and by regard to our safety, to continue in it to the end.*

That it hence appeared to be the obvious interest of Britain immediately to cut the cords which tied us to France, for that, though we were determined faithfully to fulfil our treaty and engagements with this Court, *yet it was a different thing to be guided by their or our construction of it.*

That among other things we were bound not to make a separate peace or truce, and that the assurance of our independence was avowed to be the object of our treaty. While, therefore, Great Britain refused to yield this object, we were bound, as well as resolved, to go on with the war, although perhaps the greatest obstacles to a peace arose neither from the demands of France nor America. Whereas, that object being conceded, we should be at liberty to make peace the moment that Great Britain should be ready to accede to the terms of France and America, without our being restrained by the demands of Spain, with whose views we had no concerns.

That it would not be wise in Great Britain to think of dividing the fishery with France and excluding us; because we could not make peace at such an expense, and because such an attempt would irritate America still more; would perpetuate her resentments, and induce her to use every possible means of retaliation by withholding supplies in future to the fishery, and by imposing the most rigid restraints on a commerce with Britain.

That it would not be less impolitic to oppose us on the point of boundary and the navigation of the Mississippi—

1st. Because our right to extend to the Mississippi was proved by our charters and other acts of government, and our right to its navigation was deducible from the laws of nature, and the consequences of revolution, which vested in us every British territorial right. It was easy, therefore, to foresee what opinions and sensations the mere attempt to dispossess us of these rights would diffuse throughout America.

2dly. Because the profits of an extensive and lucrative commerce, and not the possession of vast tracts of wilderness, were the true objects of a commercial European nation.

That by our extending to the Mississippi to the west, and to the proclamation bounds of Canada to the north, and by consenting to the mutual free navigation of our several lakes and rivers, there would be an inland navigation from the Gulf of St. Lawrence to that of Mexico, by means of which the inhabitants west and north of the mountains might with more ease be supplied with foreign commodities than from ports on the Atlantic, and that this immense and growing trade would be in a manner monopolized by Great Britain, as we should not insist that she should admit other nations to navigate the waters that belonged to her. That, therefore, the navigation of the Mississippi would in future be no less important to her than to us, it being the only convenient outlet through which they could transport the productions of the western country, which they would receive in payment for merchandize vended there.

That as to retaining any part of that country, or insisting to extend Canada so as to comprehend the lands in question, it would be impolitic for these further reasons. Because it would not be in their power either to settle or govern that country; that we should refuse to yield them any aid, and that the utmost exertions of Congress could not prevent our people from taking gradual possession of it, by making establishments in different parts of it. That it certainly could not be wise in Britain, whatever it might be in other nations, thus to sow the seeds of future war in the very treaty of peace, or to lay in it the foundation of such distrusts and jealousies as on the one hand would forever prevent confidence and real friendship, and on the other, naturally lead us to strengthen our security by intimate and permanent alliances with other nations.

I desired Mr. Vaughan to communicate these remarks to Lord

Shelburne, and to impress him with the necessity and policy of taking a decided and manly part respecting America.

Mr. Vaughan set off the evening of the 11th of September. It would have relieved me from much anxiety and uneasiness to have concerted all these steps with Dr. Franklin, but on conversing with him about M. Rayneval's journey, he did not concur with me in sentiment respecting the objects of it; but appeared to have a great degree of confidence in this Court, and to be much embarrassed and constrained by our instructions.

Nothing now remained to be done but to complete the letter we had agreed to write to the Count de Vergennes, stating our objections to treat with Mr. Oswald under his present commission. I accordingly prepared the following draft of such a letter, and it was under Dr. Franklin's consideration when the news of our success in England rendered it unnecessary:

Proposed Draft of a Letter to Count de Vergennes.

"Sir,

"The question whether we ought to exchange copies of our respective commissions with Mr. Oswald, and proceed to business with him under his, is not only important and consequential in itself, but derives an additional degree of weight from the variance subsisting between your Excellency's sentiments and our own on that subject.

"The respect due to your Excellency's judgment, our confidence in the friendship of our good and great ally, and the tenor of our instructions from Congress, all conspire to urge us to lay before your Excellency a full state of the facts and circumstances which create our objections to treating with Mr. Oswald under the commission in question.

"We flatter ourselves that in the course of this discussion, some light will be cast upon the subject, and it gives us pleasure to reflect that our objections will be reviewed by a Minister possessed of candor to acknowledge their force on the one hand, and talents to detect and discover to us their fallacy on the other.

"It appears to us unnecessary to premise that on the 4th day of July, 1776, the representatives of the then late Thirteen United

Colonies in Congress assembled did, in the name and by the authority of the good people of those Colonies, and for the reasons in that act specified, ‘solemnly publish and declare that the said United Colonies were, and of right ought to be, *free and independent States*, that they were absolved from all allegiance to the British Crown, and that all political connexion between them and the State of Great Britain was, and ought to be, totally dissolved; and that as *free and independent States*, they had *full power* to levy war, *conclude peace*, contract alliances, establish commerce, and to do all other acts and things which independent nations might of right do. And for the support of that declaration, with a firm reliance on the protection of Divine Providence, they did mutually pledge to each other their lives, their fortunes, and their *sacred honor*.’

“This declaration was immediately ratified by legislative acts of the different States, all of whom have ever since so uniformly abided by it that the authority of the King of Great Britain has never, from that day to this, extended over more ground in that country than was from time to time under the feet of his armies.

“The United States also bound themselves to each other by a solemn act of confederation and perpetual union, wherein they declare ‘that the style of the Confederacy should be *the United States of America*,’ and by it they vested *in Congress* the sole and *exclusive* right and power of determining on *peace* and war, of sending and receiving Ambassadors, and entering into *treaties* and alliances.

“Thus becoming of right, and being in fact free, sovereign, and independent States, their representatives in Congress did, on the 15th day of June, 1781, grant a commission to certain gentlemen, (of whom we are two,) *in their name*, to confer, treat, and conclude with the Ambassadors, Commissioners, &c., *vested with equal powers*, relating to the reëstablishment of peace, &c.

“On the 25th of July, 1782, his Britannic Majesty issued a commission, under the great seal of his kingdom, to Richard Oswald, reciting in the words following, ‘that whereas, by an act passed in the last session of Parliament, entitled, “An act to enable his Majesty to conclude a peace or truce with certain colonies in North America,” therein mentioned, it recited that it is essential to the *interest, welfare, and prosperity* of Great Britain, and the *Colonies*

or *Plantations* of New Hampshire, Massachusetts Bay, &c., (naming the thirteen,) that peace, intercourse, trade, and commerce should be restored between them, therefore, and for a full manifestation of our earnest wish and desire, and of that of our *Parliament*, to put an end to the calamities of war it is enacted that it should and might be lawful for us to treat, consult of, agree and conclude with any Commissioner or Commissioners, named or to be named *by the said Colonies or Plantations*, or with any body or bodies, corporate or politic, or any assembly or assemblies, or *description of men or any person whatsoever*, a peace or truce with the said Colonies or Plantations, or any of them, or any part or parts thereof, any law, act or acts of Parliament, matter or thing to the contrary in any wise notwithstanding.' The commission then proceeds to appoint and authorise Mr. Oswald to treat, &c., in *the very words of the act*.

"We do not find ourselves described in this commission as the persons with whom Mr. Oswald is authorised to treat.

"Nations, particularly corporations, mercantile companies, and indeed every private citizen, in every country, have their titles, their styles, their firms, and their additions, which are necessary to their being known in the law; that is to say, the law of nations requires that national acts shall give to every sovereign and nation its proper political name or style, in the same manner as the municipal law of the land will only take notice of corporations, companies, and even private citizens by their proper names and legal descriptions.

"When the United States became one of the nations of the earth, they published the style or name by which they were to be known and called, and as on the one hand they become subject to the law of nations, so on the other they have a right to claim and enjoy its protection, and all the privileges it affords.

"Mr. Oswald's commission is a formal, national act, and no nation not mentioned or properly described in it can consider him properly authorised to treat with them. Neither the United States of America nor Commissioners appointed by *them*, are mentioned in it, and therefore we, *as their servants*, can have no right to treat with him.

"We are apprized the word *Colonies* or *Plantations* of New Hampshire, &c., in *North America*, convey to the reader a geographical idea of the country intended by the commission, and of the manner of its first settlement; but it conveys no political idea of it,

except perhaps a very false one, viz., as dependent on the British Crown; for it is to be observed that the words *Colonies or Plantations* have constantly been used in British acts of Parliament to describe those countries while they remained subject to that Crown; and the act holds up that idea in a strong point of light when it declares ‘*that it is essential to the interest, welfare, and prosperity of the Colonies or Plantations of New Hampshire, &c., that peace, &c., should be restored,*’ &c. For, as independent States, our interests, welfare, and prosperity were *improper objects for the parliamentary discussion and provision of Great Britain.*

“The United States cannot be known, at least to their Commissioners, by any other than *their present proper, political name*; for, in determining whether Mr. Oswald’s commission be such as that we ought to treat with him under it, we must read it with the eyes, and decide upon it with the judgment of *American Ministers*, and not of private individuals.

“But admitting that the studied ambiguity of this commission leaves every reader at liberty to suppose that we are or are not comprehended in it—nay, supposing it to be the better construction that we are—still, in our opinion, it would ill become the dignity of Congress to treat with Mr. Oswald under it.

“It is evident that the design of the commission was, if possible, to describe the United States, the Congress, and their Commissioners, by such circumlocutory, equivocal, and undeterminate words and appellations as should with equal propriety apply to the thirteen States considered as British Colonies and territories, or as independent States, to the end that Great Britain might remain in a capacity to say that they either had the one or the other meaning, as circumstances and convenience might in future dictate.

“As Congress have no doubts of their own independence, they cannot with propriety sanctify the doubts of others, and, therefore, cannot admit the sufficiency or decency of any commission that contains them.

“It being well known that the United States have vested in Congress the exclusive right to make peace, this commission, by authorising Mr. Oswald to treat with them *separately*, and even with parts of them, and with any person or persons whatsoever, offers such open and direct violence to the honor and prerogatives of Congress as to be better calculated to excite their resentment than

their acquiescence. Nor can we conceive it very decent in Great Britain to expect that Congress, after having so long firmly and uniformly maintained the rights of independence, should now consent to deviate from that character by negotiating with her for peace in any other capacity than the one in which they have carried on the war with her.

“It seems agreed on all hands that the commission does not acknowledge us to be independent; and though the King of Great Britain consents to make it the *first article* of the proposed treaty, yet, as neither the first nor the last article of the treaty can be of validity till the conclusion of it, can it be reasonably expected that we should consent to be viewed during all that interval as British subjects, there being no middle capacity or character between subjection and independence? Neither Congress nor their servants, if so inclined, have a right to suspend the independence of the United States for a single moment, nor can the States themselves adopt such a measure while they remember the solemn manner in which they pledged to each other their lives, their fortunes, and their *sacred honor*, to support their independence.

“It gives us pleasure to find that these inferences and conclusions from the general nature and rights of independence, stand confirmed by the express acts and declarations of Congress on the subject, and in whatever view these acts may be regarded by others, they must be considered as authoritative by their servants.

“So early as the 17th of July, 1776, Congress resolved, ‘that General Washington, in refusing to receive a letter said to be sent by Lord Howe, addressed to “George Washington, Esq.,” acted with a dignity becoming his station, and, therefore, that this Congress do highly approve the same, and *do direct* that no letter or message be received on any occasion whatever from the enemy by the Commander-in-Chief, or others the commanders of the American army, but such as shall be directed to them in the characters they respectively sustain.’

“We conceive that the reason of this resolution extends with at least equal force to *civil* officers, and particularly to Commissioners appointed to treat of peace with Great Britain.

“On the 5th of September, 1776, Congress resolved, ‘that General Sullivan be requested to inform Lord Howe, that this Congress, *being the representatives of the free and independent States of*

America, cannot with propriety send any of its members to confer with his Lordship in their *private* characters, but that ever desirous of establishing peace on reasonable terms, they will send a committee of their body to know whether he has any authority to treat with persons *authorised by them* for that purpose in behalf of *America*, and what that authority is; and to hear such propositions as he shall think fit to make respecting the same; that the President write to General Washington and acquaint him, that it is the opinion of Congress no proposals for making peace between Great Britain and the United States of America *ought to be received or attended to*, unless the same be made in writing, and addressed to the representatives of the said States in Congress, or *persons authorised by them*, and if application be made to him by any of the commanders of the British forces on that subject, that he inform them that these United States, who entered into the war only for the defence of their lives and liberties, will cheerfully agree to peace on reasonable terms, *whenever such shall be proposed to them in MANNER AFORESAID.*'

"These resolutions were passed at a time when the United States had formed no alliances, and when a formidable and hostile army had just arrived to invade their country. If such, therefore, were their sentiments, and such their resolutions at so early, so dangerous, and doubtful a period, there certainly is reason to presume that the fortitude which influenced them has not been abated by the present aspect of their affairs.

"On the 22d of November, 1777, Congress resolved, 'that all proposals of a treaty between the King of Great Britain or any of his Commissioners and the United States, *inconsistent with the independence* of the said States, or with such treaties or alliances as may be formed under their authority, *will be rejected by Congress.*'

"We cannot consider the present proposals to treat with us in a character *below independence, to be consistent with it.*

"Among other objections *unanimously* made by Congress, on the 22d of April, 1778, to certain bills of the British Parliament, then about to be passed into laws to enable the King of Great Britain to appoint Commissioners to treat, &c., is the following, viz :

"'Because the said bill purports that the Commissioners therein mentioned may treat with *private individuals*, a measure highly derogatory to *national honor.*'

“Mr. Oswald’s commission contains a similar clause, and, consequently, is liable to the same objection.

“The Congress did also, on the same day, *unanimously* declare, ‘that these United States cannot with propriety hold any conference or treaty *with any Commissioners* on the part of Great Britain, unless they shall *as a preliminary thereto*, either withdraw their fleets and armies, or else *in positive and express terms acknowledge the independence of the said States.*’ Neither of these alternatives have as yet been complied with.

“On the 6th of June, 1778, the Congress ordered their President to give an answer in the following words to the Commissioners appointed under the British acts of Parliament beforementioned, viz :

“ ‘My Lord,

“ ‘I have had the honor to lay your Lordship’s letter of May the 27th, with the acts of the British Parliament enclosed, before Congress, and I am instructed to acquaint your Lordship that they have already expressed their sentiments upon bills not essentially different from those acts, in a publication of the 22d of April last.

“ ‘Your Lordship may be assured that when the King of Great Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, Congress will readily attend to such terms of peace as may consist with the *honor of independent nations*, the interest of their constituents, and the sacred regard they mean to pay to treaties.’

“The honor of an *independent nation* forbids their treating in a *subordinate capacity*.

“On the 17th of June, 1778, Congress, in another letter to the same Commissioners, *unanimously* join in saying—

“ ‘Nothing but an earnest desire to spare the further effusion of human blood could have induced them to read a paper containing expressions so disrespectful to his Most Christian Majesty, the good and great ally of these States, or to *consider* propositions so derogatory to the honor of an independent nation.

“ ‘The acts of the British Parliament, the commission from your Sovereign, and your letter, suppose the people of these States to be subjects of the Crown of Great Britain, and are founded on an *idea of dependence*, which is utterly *inadmissible*.

“ ‘I am further directed to inform your Excellencies, that Congress are inclined to peace, notwithstanding the unjust claims from which this war originated, and the savage manner in which it has been conducted. They will therefore be ready to enter *upon the consideration* of a treaty of peace and commerce, not inconsistent with treaties already subsisting, *when* the King of Great Britain shall demonstrate a sincere disposition for that purpose. The only solid proof of this disposition will be an explicit acknowledgment of the independence of these States, or the withdrawing his fleets and armies.’

“On the 11th of July, 1778, the British Commissioners again endeavored to prevail upon Congress to treat with them on the humiliating idea of dependence. And on the 18th day of the same month, Congress came to the following resolution, viz :

“ ‘Whereas Congress, in a letter to the British Commissioners of the 17th of June last, did declare that they would be ready to *enter into the consideration* of a treaty of peace and commerce not inconsistent with treaties already subsisting *when* the King of Great Britain should demonstrate a sincere disposition for that purpose, and that the only solid proof of this disposition would be an *explicit acknowledgment of the independence* of these States, or the withdrawing his fleets and armies ; and whereas, neither of these alternatives have been complied with, therefore resolved, that no answer be given to the letter of the 11th instant from the British Commissioners.’

“We find Congress still adhering to the same resolutions and principles, and, in pursuance of them, lately directing General Washington to refuse Sir Guy Carleton’s request of a passport for one of his family to carry despatches from him to Congress. The late resolutions of the different States on that occasion show how exactly the sense of the people at large corresponds with that of their representatives in Congress on these important points.

“To our knowledge, there is not a single instance in which Congress have derogated from the practice and conduct of an independent nation. All their commissions, as well *civil* as *military*, are and always have been in that style. They have treated with France and the States-General of the United Provinces, and those Powers have treated with them on an equal footing. What right, therefore, can Britain have to demand that we should treat in a different

manner with her? Or with what propriety can we pay marks of respect and reverence to our enemies, which we never have paid to our friends—friends, too, who are at least equal to her in power and consideration; nor can we forbear observing that the second article of our treaty of alliance with his Most Christian Majesty declares: ‘That the essential and direct end of the present defensive alliance is to maintain effectually the *liberty, sovereignty, and independence, absolute and unlimited*, of the said United States, as well in matters of *government* as of *commerce*.’

“Hence it appears that not only the regard due to our own dignity, but also to the dignity of our great ally, and the faith of treaties, forbid our receding in the least from the rights of *that sovereignty and independence*, the support of which forms the *direct end* of our alliance.

“But although the United States as an independent nation can regard Great Britain in no other light than they would any other Kingdom or State with whom they may be at war, yet we can easily perceive that Great Britain has stronger objections than other nations can have to treating with us as *independent*. But these objections, however strong, are more proper subjects for their deliberations whom they affect than for ours, whom they do not respect. Britain may amuse herself with, and therefore be embarrassed by, doubts of our title to independence, but we have no such doubts, and therefore cannot be perplexed or influenced by them.

“Other nations owe their origin to causes similar to those which gave birth to ours, and it may not be useless to inquire how they conducted themselves under similar circumstances.

“The tyranny of Philip II of Spain made his subjects in the Low Countries declare themselves independent; a long and cruel war ensued, which was suspended by a truce for twelve years, and afterwards concluded by a definitive treaty of peace.

“History bears honorable testimony to the wisdom and fortitude of that nation during that interval, and we think the following detail is so interesting, and so applicable to the case of our country in general, and particularly to the point in question, that we cannot forbear requesting your Excellency to peruse it.

“On the 26th of July, 1581, the United Provinces, by a formal act, declared that Philip II had forfeited his right to the sovereignty of those Provinces, and that consequently they were independent.

“On the last of June, 1584, the King of France sent an Ambassador (le Sieur Pruneaul) to Holland, and he in writing represented to the States assembled at Delft that his Majesty had understood that they desired to treat with him, and that he had thought proper to inform them that they should let him know on what terms they proposed to do it, with many reasons to induce the Provinces to come into such treaty.

“Queen Elizabeth did nearly the same thing by her letter of the last of October, 1584, which she sent to her Ambassador *Davidson*.

“The Deputies of the States soon after, by their order, returned thanks to the Queen, and informed her that they had resolved to accept the King of France for Prince of the country in the same manner as Charles V had been, but on condition to retain their rights and privileges.

“On the 3d of January, 1585, the States despatched Deputies to make this offer to the King of France. Spain remonstrated against their being *admitted to an audience*, calling them Rebels, &c.

“To this remonstrance the King of France gave an answer which does the highest honor to his magnanimity.

“On the 13th of February, 1585, the Deputies had an audience of the King, and afterwards of the Queen Mother.

“On the 8th of March, 1585, the King gave for answer to the Deputies that he could not at present accept their offer, nor assist them; complained greatly of the violence done him by the Spaniards and Guises, and desired them to provide for their own defence, until such time as he should be in quiet with his own subjects, and promised to recommend them to the Queen of England.

“On the 6th of June, 1585, the States-General resolved to transfer the sovereignty to the Queen of England, on lawful and reasonable conditions, or to treat with her to take them under her protection, or to obtain more aid and assistance from her.

“On the 9th of July, 1585, they had an audience of the Queen at Greenwich, and offered to her the sovereignty, &c.

“The Queen declined to accept the sovereignty or undertake the perpetual protection of the United Provinces, but on the 10th of August, 1585, she entered into a formal treaty with them to afford aid, &c.

“On the 16th of October, 1587, the States made a declaration to their Governor Leicester on the subject of some differences between

them, in which they say: ‘And as by divers acts, and particularly by a certain letter, which he wrote on the 10th of July to his Secretary Junius, (as is said,) the authority of these States is drawn into doubt; they think it proper to make a more ample declaration, containing a deduction of the rights of the States, which they are bound by oath to maintain. *For in case they had not been well founded in the sovereignty of the Provinces, they could not have deposed the King of Spain, nor have defended themselves against his power. Nor would they have been able to treat with their Majesties of France and England, nor to have transferred the government to your Excellency,*’ &c., &c.

“On the 3d of September, 1587, the Earl of Leicester, by order of the Queen, intimated to them the propriety of negotiating for peace, for it seems the King of Denmark had privately sounded the King of Spain on that subject.

“The States answered, ‘That they had never given any such commission to the King of Denmark, or ever thought of it; but on the contrary, they had observed to the Earl of Leicester, in the year 1586, on his leaving Holland, and on his speaking to them about making peace, that there was *nothing so dangerous and injurious in their condition as to speak or treat of peace*, and that it was one of the *old finesses of Spain*; that neither a long war, the damages suffered, nor force, nor the unexpected deaths of their chiefs, had been able to hinder their doing their duty, nor make them recede one step from that foundation of constancy on which they were fixed; but that seeing the honorable weapons which were left them, viz., firmness and resolution, they were sufficiently powerful to surmount their difficulties, in the same manner as the virtue of the Romans had made them triumph over Carthage.’ They also reminded the Earl, that by pretext of treating of peace on a former occasion, they had lost Artois, Hainault, and other countries. That the treaties at Ghent and Bruges, which were prior to their independence, had cost the lives of more than a hundred thousand persons; that negligence and false security were always the consequences of such negotiations.

“On the 30th of October, 1588, the Queen again proposed their entering into negotiations for peace, and they again refused.

“In 1590 and 1591, the Emperor endeavored to persuade the United Provinces to enter into negotiations by the mediation of his

good offices for a *reconciliation* with the King of Spain. And on the 7th of April, 1592, they gave a formal answer to the Emperor, containing their reasons for declining his proposal; on this occasion they struck a medal representing a Spaniard offering peace to a Zealander, who points to a snake in the grass, with these words, '*Latet anguis in herbá.*'

"On the 6th of May, 1594, the Archduke of Austria sent a letter to the States on the same subject, and received the like answer, accompanied with a full state of their reasons for it.

"In the same year the United Provinces sent Ambassadors to Denmark, and received others from King James of Scotland, who desired them to send some persons on their behalf to assist at the baptism of his son, and to renew ancient treaties, &c.

"On the 31st of October, 1596, the King of France entered into a treaty of alliance with the United Provinces against Spain.

"On the 9th of August, 1597, the Emperor, by his Ambassador then at the Hague, proposed to the States to treat of peace. They refused, *alleging that they had been lawfully separated from the dominion of the King of Spain, and had formed alliances with England, France, &c.*

"On the 15th of October, 1597, Ambassadors from the King of Denmark arrived at the Hague, among other things to dispose the States to peace. On the 24th of October, the States gave them a long answer, recapitulating their reasons for refusing to negotiate.

"On the 2d of November, 1597, the King of France, having been offered advantageous terms of peace by Spain, hinted his pacific inclinations to the States. They earnestly dissuaded him from making either *peace* or *truce*. The King nevertheless began to treat under the mediation of the Pope, &c.

"The States sent Ambassadors to France with instructions dated 13th of January, 1598, to dissuade the King from peace, and to take measures with France against Spain for the ensuing campaign.

"On the 2d of May, 1598, peace was concluded between France and Spain, at Vervins.

"In treating of the articles of this peace, the Deputies of France declared that they could not proceed to conclude it unless the Queen of England and the United Provinces, who were allied with his Christian Majesty, were received and admitted to the treaty. To which the Deputies of the King of Spain answered, that from the

commencement of the conferences they had declared that *they were ready and content* to receive and treat with the Deputies of the said Queen and Provinces, and that they had resided long enough in that place to give them time to come there if they had been so pleased; and it was concluded and agreed that if, in six months, the Deputies of the said Queen and United Provinces should come with sufficient powers, and declare themselves willing to treat of peace, they should there be received, and for that purpose the Deputies of the King of Spain should be at Vervins, or such other place as by common consent of parties should be agreed upon; and at the instance of the Deputies of his Christian Majesty, it was further agreed, that there should be a cessation of arms and hostilities between his Catholic Majesty, the Queen of England, and the United Provinces, for two months, to be computed from the day on which the said Queen and Provinces should inform the Archduke of Austria that they accepted the said cessation, &c.

“On the 6th of May, 1598, the King of Spain conveyed the Low Countries and Burgundy to his daughter Isabella Clara Eugenia, on certain conditions, the first of which was to marry Albert, the Archduke of Austria.

“On the 29th of June, 1598, the Queen of England, by her Ambassador, Sir Francis Veer, addressed the States on the subject of the late peace between France and Spain, and left it to *their choice* to accede or continue the war. They resolved not to treat of peace.

“The Archduke expressed his astonishment that the Queen should assist his *rebellious subjects*, on which she desired the King of France to tell him, that alliances with the States of the Low Countries was not a new thing; that they had not *recognised him* for their Sovereign, and that though she respected him as the brother of the Emperor and Archduke of Austria, yet as the Lieutenant of the King of Spain she held him as an enemy.

“On the 16th of August, 1598, the Queen of England entered into a new convention with the United Provinces, confirming the treaty of 1585, with certain other stipulations.

“On the 23th of August, 1598, the Archduke wrote a letter to the States-General, to persuade them to accept him for their Sovereign. To this letter they resolved *not to give any answer*.

“On the 13th of September, 1598, Philip II, King of Spain, died.

In the year 1599, the Emperor again commissioned Ambassadors to persuade the United Provinces to treat of peace, &c. The States, in their answer of the 2d of December, 1599, refuse to treat, because, among other reasons, ‘the insolence of the Archduke and Infanta was such, that although they knew very well that they could claim no right to the said United Provinces under the before-mentioned donation, or by any other title, yet so it was, that by placards, by public and notorious libels, and by indecent and unjust acts, which they could never excuse, they held them for rebels.’

“On the 7th of June, 1600, the States, in their answer to another application to the Emperor, say, among other things, that the Archduke had ‘treated the inhabitants barbarously, proclaiming those to *be rebels who had nothing to do with him*, and that well considering all these things, they had good reason to judge that it would neither be consistent with their honor nor their interest to acknowledge the Archduke, or treat either with him or with Spain.’

“On the 3d of April, 1602, the Queen of England died.

“On the accession of James, the Archduke immediately sent Nicholas Schossy to sound the King on the subject of peace, and the next year sent Count Arembergh there for the same purpose. King James sent Rudolph Winwood to inform the States that the Archduke had proposed to him to treat of peace, but that he would do nothing till he had informed them of it, and should be advised of their inclinations.

“On the 30th of July, 1603, the Kings of France and England concluded a treaty of confederation, principally for the defence of the United Provinces against the King of Spain. This treaty was secret.

“In May, 1604, conferences for a peace were opened at London between the Deputies of Spain and the Archduke on the one part, and those of England on the other.

“The Spaniards requested the King to mediate a peace between the Archduke and the United Provinces *on reasonable and equal terms*. The English answered that it was not their business, and that they could treat together, without saying any thing of the United Provinces.

“On the 28th of August, 1604, peace was concluded between Spain and the Archduke on the one part and England on the other.

“On the last of May, 1605, the States, in answer to the propo-

sitions for peace made by the Emperor, Electors, Princes, and States of the empire, say ‘ that they had been legally discharged from their oaths to the late King of Spain ; insomuch that all impartial Kings, Princes, and States did at present acknowledge and hold the Low Countries for a *free State*, qualified of right to govern itself in form of a republic, or to choose another Prince.

“ That as to what they had been advised, viz., to enter into any treaty, contrary to the free government right, which they had obtained, and which they still enjoyed, they considered it as *contrary to God, their honor, and their safety.*’

“ About the end of February, 1607, there came from Brussels to Holland, as Deputy from the Archduke, the Commissary-General of the minor brothers, whose father had formerly been well acquainted with the Prince of Orange.

“ He came to learn the reasons which had prevented the propositions of the Sieur Horst from being successful. After speaking often in private with Prince Maurice, he came to the Hague, where he also had an audience of Prince Maurice, to whom he said that it was not the intention of his Highness *either to better or to lessen his right by any treaty of truce, but to treat with the States in the state in which they were.* And on being given to understand that the Archduke *must acknowledge the State for a free State before they would enter into any treaty*, he undertook to bring the Archduke to consent to it, in order to avoid the effusion of blood. On the 9th, he went in Prince Maurice’s boat to Antwerp, and returned on the 17th of March to the Hague, and did so much, that both parties finally agreed to come to some mutual treaty, agreeable to the conditions of the following declaration, viz :

“ The Archdukes have found it proper to make the following declaration, offer, and presentation to the *States-General of the United Provinces of the Low Countries* :

“ That the Archdukes having nothing more at heart than to see the Low Countries and the inhabitants thereof delivered from the miseries of war, declare, by these presents, and with mature deliberation, that they are content to treat with the States-General of the United Provinces, in quality, and as holding them *for free Countries, Provinces, and States, to which their Highnesses pretend nothing*, either by way of perpetual peace, or truce, or cessation of arms for twelve, fifteen, or twenty years, at the election of the said States,

and on reasonable conditions ;' then follow certain propositions for a truce, &c., and afterwards a condition, ' That the States agree to the aforesaid provisional truce in eight days after the delivery of these presents, and shall make a declaration to their Highnesses in writing, before the 1st of September next ensuing, touching the principal treaty aforesaid of truce or cessation of arms, with the time and place which they may have chosen. Done at Brussels, under the signatures and the seal of their Highnesses, the 13th of March, 1607.'

“ To this declaration and offer, the States answered ‘ That the States-General, in quality of and as free States, Countries, and Provinces, over which their Highnesses have nothing to pretend, and being equally desirous of nothing more than to consent to a Christian, honorable, and sure issue to, and deliverance from the miseries of this war, after mature deliberation, and with the advice of his Excellency, and of the Council of State, *have accepted* the said declaration of the Archdukes *to regard their United Provinces as free Countries to which their Highnesses have nothing to pretend*, and also a truce for eight months, &c., &c. Their Highnesses further promising to obtain and deliver to the said States-General, within three months next ensuing, the agreement of the King of Spain touching the treaty, under all the necessary renunciations and obligations, as well general as special.’

“ On the last of June, 1607, the King of Spain ratified the truce, but *omitted an acknowledgment of their independence*.

“ The States-General, on the 9th and 11th of August, ‘ declared these ratifications to be imperfect, both in substance and in form.’ The Archduke promised to procure a more complete one.

“ On the 18th of September, 1607, the King of Spain made a new ratification *containing the acknowledgment in question*, but declaring that the said ratification should be void, unless the peace or truce in contemplation should take place.

“ To this condition the States made strong objections.

“ On the 2d of November, 1607, the States made various remarks on the ratification. They *absolutely refused to accept, and protested against the condition* contained in it, but offered to proceed on the footing of the declaration, *provided* the States should be firmly assured that nothing would be proposed either on the part of the Archduke or of the King, *contrary to the same*, or prejudicial to the State or Government of the United Provinces ; and provided, also,

that the Archduke did send his Deputies to the Hague fully authorised, &c., within ten days after the receipt of that answer.

“On the 10th of November, the States-General adjourned to take the sense of their constituents on the subject of the ratification, and agree to meet again on the 10th of December.

“On the 24th of December, 1607, they wrote to the Archduke that, under the *protest and declaration* contained in the answer of the 2d of November, they were content to enter into conferences with his Deputies at the Hague, and proposed to prolong the truce a month or six weeks.

“On the 7th of January the answer of the Archduke arrived, in which he calls the States ‘*très chers et bons amis.*’ He observed that he had learnt from their letter of the 24th of December the resolution they had taken to enter into conferences with his Deputies about peace, and, in the mean time, to prolong the truce for a month or six weeks.

“That as to the first point, he had appointed for the said conferences the same persons whom he had before employed, and that they should set out the 15th of January; and that, as to the truce, he was content to prolong it for six weeks.

“On the 6th of February, 1608, the Deputies of the States and those of the Archduke had their first meeting to exhibit their respective credentials. The Deputies of the Archduke produced two—one from him and the other from the King of Spain.

“On the 8th of February, 1608, the Deputies of both parties had their second meeting. Those of the States asked the others if they were fully instructed (*enchargés*) to *acknowledge the United Provinces to be free Provinces and countries, and to treat with them in that capacity?* to which they explicitly (*rondement*) answered *yes*. The Dutch Deputies thereupon asked why, then, the Archduke retained the arms and name of the said Provinces? They then replied that it ought not to seem strange, for that the King of Spain retained the title of the King of Jerusalem, the King of France that of King of Navarre, and the King of England retained the arms and title of France.

“On the 11th of February, 1608, they met again; the Deputies of the States presented to the others an article which they had drawn up, by which the ‘Provinces were declared to be free, and that the King of Spain and the Archdukes relinquished all their

pretensions to the sovereignty of the said Provinces, &c., as well for themselves as for their successors and heirs, *with the name and arms.*'

"The others received the article, and took time to consider of it, on which the meeting was adjourned. They immediately despatched a courier with a copy of it to Brussels, and received an answer on the 13th. They complained, however, to the Ambassadors of France and Great Britain, &c., of the States being *so precise* in that article.

"On the 13th of February, 1608, in the afternoon, the Deputies again assembled, and those of the Archduke *consented to the article as it was drawn up*, with reserve, nevertheless, that in case all the other points should be agreed upon, *they hoped* the States would do something for the King of Spain and the Archduke respecting the Indies, &c.

"On the 15th of February they again met; they agreed on the points of amnesty and oblivion, but on treating of reciprocal free trade and navigation to each other's ports and countries, the Deputies of the Archduke declared that they did not mean to comprehend in that free trade, *the navigation to the Indies* and all the fortresses there, but, on the contrary, that all the subjects of these countries should *forthwith desist therefrom*. The Dutch Deputies opposed *this strongly and firmly*, saying that it would prejudice the liberty of the Provinces and *the free use of the sea*, and, therefore, that they were not authorised to relinquish it. The others continued firm in their demand, and after long debates the Deputies separated.

"On the 19th, 23d, and 27th of February, and 4th of March, 1608, the Deputies met, but, except debating, did nothing, both parties continuing firm and resolved not to cede any thing.

"The Deputies of Spain, finding they could not carry the point as to the Indies, declared, at length, that they would consult together on a proposition to make a truce for some years respecting the navigation, and that they were ready to go on to the other points and try to agree upon some of them.

"On the 7th of March they exchanged heads of articles for consideration. On the 11th and 12th of March they again met, and had fruitless debates about a *free navigation to the Indies*, &c. The Marquis Spinola proposed that the subject should be divided,

and that two sets of propositions should be prepared, one for the navigation in Europe, and the other for the Indies.

“On the 17th of March they again met, and the Dutch Deputies offered to the others two sets of propositions, as had been proposed. They received them for consideration; but, after debate, they declared that they could not agree to them, and that they must make a journey to Spain for further instructions. For this reason, the truce was prolonged to the end of May.

“The truce was continued from time to time, and sundry fruitless meetings held; but, on the 20th of August, 1608, the Deputies assembled; ‘the Spanish ones declared that they had lately received full instructions on the several points in question, viz., *that the King and Archduke were content to quit the sovereignty of the United Provinces*; but that he required two points to be yielded by the States by way of compensation, viz., the reëstablishment of the Roman Catholic religion in every place in the Provinces, and that they should immediately *desist from all navigation both to the East and West Indies.*’

“The Dutch Deputies reported this to the States-General. On the 25th of August the States-General made a long and spirited declaration on the subject of this report, resolving against negotiating any longer; and they ordered a copy of it to be delivered to the Spanish Deputies.

“On the 27th of August, 1608, the Ambassadors of France and England, &c., came to the States-General and endeavored to prevail upon them to agree to a long truce.

“On the 30th of August the States expressed their readiness to agree to a long truce, provided the adverse party ‘*would so absolutely acknowledge them for free countries as that it should not be questioned after the expiration of the truce*, that otherwise they could not listen to a truce.’

“On the 3d of September the Spanish Deputies said they had no instructions to treat of truce in acknowledging the United Provinces to be absolutely free, and *permitting the navigation to the Indies*, but that they had sent the proposition to Brussels in order to have further instructions.

“On the 7th of September they received an answer from Brussels, and they declared that they had no instruction to agree to a long truce with the States on condition to acknowledge them

to be States absolutely free, and without comprehending the reëstablishment of the Roman religion, and the relinquishment of *all navigation to the Indies*, but that the Archduke would send the proposition to Spain, from whence he might expect an answer by the end of September.

“They then proposed either to wait for the answer of Spain, or continue the present truce for seven years, observing that it had been made with an express declaration to hold the United Provinces for free countries, and that as to the trade to the Indies, the Archduke would promise to *get it ratified by the King of Spain for that space of time*.

“The States unanimously rejected this new proposition, but gave them the time they had demanded for the answer of Spain. On the 28th of September the Spanish Deputies applied to the Ambassadors of France, &c., to ask ten days more from the States. The Ambassadors agreed to do it *in the name of the Deputies*, but they declined it.

“On the last of September they took their leave.

“The States-General became possessed by accident of the instructions given to Spinola and the other Deputies; they were signed by the Archdukes, and dated at Brussels, the 6th of January, 1608. They were thereby instructed to insist on the free exercise of the Roman Catholic religion.

“As to independence the instructions say :

“‘As to the subject of liberty, since you know what we have granted, make no difficulty of arranging it as they wish; doing or saying nothing in opposition which may make them suspect that we desire to revoke our declaration on that point, as we are determined to abide by it in all respects.’

“These instructions also directed them to insist that the States should renounce, and entirely and absolutely desist from the trade of the East and West Indies, and should agree to punish those who might undertake such voyages, &c., &c.

“On the departure of the Spanish Deputies, the Ambassadors of France and Great Britain endeavored to prevail upon the States-General to listen to a truce, and proposed to their consideration certain articles which they had prepared. The States, after much deliberation, agreed to enter into further negotiations on that subject.

“On the 25th of March, 1609, the Deputies of both parties met at Antwerp, and on the 9th of April following, a truce for twelve years was concluded upon. It was forthwith ratified by the States and the Archdukes, and published on the 14th of April.

“On the 7th of July, 1609, at Segovia, the King of Spain explicitly and without reserve ratified this truce, viz :

“ ‘His Majesty having seen the contents of the articles of truce and capitulation which his dear and well beloved brothers, the Archdukes Albert and Isabella Clara Eugene, have sent him, concerning the truce granted in the name of his Majesty by his representative, and in that of their Highnesses by themselves, to the States-General of the United Provinces of the low countries, and having maturely considered it, declares that he applauds, approves, confirms, and ratifies the said truce in so much as concerns him,’ &c.

“The first article of this truce was in the words following :

“ ‘First, the abovementioned Archdukes declare, in their own name and in that of the King, that they are content to treat with the said States-General of the United Provinces in the character of, and holding them for a free country, estates, and provinces, over which they have no claims, and to make a truce with them in the name and under the character above described ; and this they do on the conditions hereinafter described and declared by these presents.’

“On the 30th of January, 1648, a treaty of peace was concluded between Spain and the United Provinces.

“The full powers or commission given by the King of Spain to his plenipotentiaries for making this peace were dated near two years before, viz., 7th of June, 1646, and they show clearly that he negotiated with those Provinces as with independent States on that occasion.

“The tenor of this commission is very different from that of Mr. Oswald. The following is an extract from it :

“ ‘All the Powers which are concerned in this war having by common consent chosen the city of Munster as a place for holding the Congress and negotiations for the peace aforesaid, we have thought proper to name plenipotentiaries there to treat with the States of the free Provinces of the low countries, or with their Ambassadors and Plenipotentiaries authorised and deputed for this purpose,’ &c.

“From this detail it appears that the Dutch ever after their declaration of independence in July, 1581, uniformly treated with the neighboring nations on an *equal footing*, and also that they constantly and firmly refused to negotiate either for truce or peace with Spain until she consented to treat with them in *like manner*.

“We forbear engaging your Excellency’s time and attention by the application of these facts and conclusions to the case of our country. We are persuaded that the similarity between the two will not escape your discernment, and that we shall not be thought singular in our opinion, that the example of the United Provinces merits at least in these respects the imitation as well as the approbation of the United States of America.

“But, sir, we not only think it inconsistent with the dignity of the United States to treat with Britain in the humiliating manner proposed, but also that it would be repugnant to their interest.

“The respect of other nations is undoubtedly of importance to America; but, sir, if she ceases to respect herself, how can she expect to be respected by others?

“America has taken and published noble and manly resolutions to support her independence at every hazard. She has hitherto done it, and would it be for her interest to quit the ground for which she has lost so much of her blood, merely to accommodate herself to the high-blown pride of an enemy? Sir, the very proposition carries with it insult, and therefore bears strong marks of *insincerity*.

“But suppose that the United States should descend from their present ground of equality, in order to treat with Mr. Oswald, and that our negotiations should be *fruitless*. In what an awkward situation should we then be? We should find ourselves betrayed by our too great pliancy, and our too great desire of peace, to the ridicule of our enemies, the contempt of other nations, and the censure of our own minds. What a page would this make in history.

“As to Mr. Oswald’s offer to make an acknowledgment of our independence the first article of our treaty, and your Excellency’s remark that it is sufficient, and that *we are not to expect the effect before the cause*, permit us to observe that by the *cause*, we suppose, is intended the *treaty*, and by the *effect*, an acknowledgment of our independence. We are sorry to differ from your Excellency, but really, sir, we cannot consider an acknowledgment of our inde-

pendence as a subject to be treated about ; for while we feel ourselves to be independent in fact, and know ourselves to be so of right, we can see but one cause from whence an acknowledgment of it can flow as an effect, viz: *the existence and truth of the fact*. This cause has long existed and still exists, and, therefore, we have a right to expect that Great Britain will treat with us being what we are, and not as what we are not. To treat about this matter would be to suppose that our independence was incomplete until they pronounced it to be complete. But we hold it to be complete already, and that as it never did, so it never will, or must depend in the least degree, on their will and pleasure. To us there appears to be a wide distinction between their acknowledging the United States to be independent, and their renouncing their pretended, though troublesome claims ; the former being a preëxisting fact, cannot depend upon, and, therefore, is not a proper subject for a treaty ; but to renounce or not to renounce a claim, whether good or bad, depends on the will of him who makes and prosecutes it ; and, therefore, like other matters of interest and convenience, is a proper subject for bargains and agreements between those who trouble their neighbors with such claims, and their neighbors who are troubled by them ; and who, for peace sake, may choose to continue the lawsuit, unless their future quiet is secured by a quit claim."

I think it was on the 24th of September that I was informed of the intention of the British Court to give Mr. Oswald such a new commission as had been recommended.

On the 26th of September I went to pay a visit to the Count de Vergennes at Versailles. I found the Marquis de la Fayette in the ante-chamber, and the Ambassador of Spain shortly after entered. After some common conversation, the Ambassador asked me when we should proceed to do business. I told him as soon as he should do me the honor of communicating his powers to treat. He asked me whether the Count de Florida Blanca had not informed me of his being authorised. I admitted that he had, but observed that the usual mode of doing business rendered it proper that we should exchange certified copies of our respective commissions. He said that could not be expected in our case ; for that Spain had not yet acknowledged our independence. I replied that we had declined it, and that France, Holland, and Britain had acknowledged it. Here

the Marquis de la Fayette took up the subject, and it continued between him and the Ambassador till the Count de Vergennes came in. The Marquis told the Ambassador, among other things, that it would not be consistent with the dignity of France for her ally to treat otherwise than as independent. This remark appeared to me to pique the Count d'Aranda not a little.

The Count de Vergennes, in coming in, finding the conversation earnest, inquired whether we could not agree. The Ambassador stated my objections. The Count said I certainly ought to treat with the *Ambassador*, and that it was proper we should make a treaty with Spain in the same manner that we had done with France. I told him I desired nothing more; and that the commission to M. Gerard, and the reason assigned by this Court to the King of Great Britain for entering into alliance with us, pointed out both the manner and the principles which were observed and admitted on that occasion. The Count did not seem pleased with my allusion to the communication made of our alliance to England. He observed that Spain did not deny our independence, and he could perceive no good reason for my declining to confer with the Ambassador about a treaty, without saying any thing about our independence, an acknowledgment of which would naturally be the effect of the treaty proposed to be formed. I told the Count that, being independent, we should always insist on being treated as such, and, therefore, it was not sufficient for Spain to forbear denying our independence while she declined to admit it, and that notwithstanding my respect for the Ambassador and my desire of a treaty with Spain, both the terms of my commission and the dignity of America forbid my treating on any other than an *equal footing*.

The Count carried the Ambassador into his cabinet, and when he retired I was admitted.

The Count commenced the conversation by explaining the reason of sending M. Rayneval to England, which he said was, that by conversing with Lord Shelburne about peace and matters connected with it, he might be able to judge whether a pacific disposition really prevailed in the British Court, and, therefore, whether any dependence might be placed in his lordship's professions on that head; that he was satisfied with M. Rayneval's report, and that he believed that Lord Shelburne was sincerely desirous of peace.

A few words then passed about Mr. Oswald's new commission;

the Count observing in general terms that as it removed our former objections, we might now go on to prepare our preliminaries.

The conversation next turned to our negociation with Spain, and to her claims east of the Mississippi. Nothing new passed on the first topic ; as to the latter, the Count made only some very general remarks, such as that he hoped we should, on conferring further about the matter, approach nearer to each other ; that those limits ought to be settled, and while they remained in contest, a treaty with Spain could not reasonably be expected ; that as soon as we should agree upon those points, Count d'Aranda would have a further or more formal commission to conclude the treaty, &c.

I remarked that these claims of Spain were of recent date, for that on my first arriving in Spain, the Count de Florida Blanca told me that the success of my mission would probably turn upon one single point, viz., the cession of our rights to the navigation of the river Mississippi ; from which, as well as from their subsequent and uniform demands on that head, it was evident that they then considered that river as our boundary ; for it would have been very strange indeed that they should insist on our forbearing to navigate a river whose waters washed no part of our country, and to which we could not, of consequence, have any pretence of claim.

The Count smiled, but avoided making any direct reply ; he hoped we should, nevertheless, agree, and that we must endeavor to approach and meet each other. I told him I could not flatter myself with such expectations, while Spain continued her claims to those countries, for that we should be content with no boundary short of the Mississippi.

I went from the Count's to M. Rayneval's chamber, for I had not seen him since his return from England. He gave me the same reason for his journey which I had just received from the Count. We then talked of his memoir and the Spanish negociation. He said much in favor of the conciliatory line he had proposed, and of the advantages of placing the Indian nations on the *west* side of it under the *protection* of Spain, and those on the *east* under that of the United States ; that the rights of those nations would be thereby secured, and future disputes between us and Spain avoided. I replied that, so far as our claims might affect those Indian nations, it was a matter solely between us and them ; and that, admitting them to be independent, they certainly had a right to choose their own

protectors ; and, therefore, that we could have no right, without their knowledge or consent, to choose for them. I also made the same remark to him respecting the recency of these Spanish claims, which I had just before done to Count de Vergennes. He said it was a subject which Count de Florida Blanca had not understood, and imputed their former ideas of our extending to the Mississippi to their ignorance respecting those matters ; hence it became evident from whom they had borrowed their present ideas.

On the 27th of September, Mr. Vaughan returned here from England, with the courier that brought Mr. Oswald's new commission, and very happy were we to see it. Copies of it have already been sent to you, so that I will not lengthen this letter by inserting it here ; nor will I add anything further on this head at present, than to assure you that Mr. Vaughan greatly merits our acknowledgments.

The next thing to be done was to prepare and draw up the proposed articles. They were soon completed and settled between us and Mr. Oswald, by whom they were sent to his Court, with letters declaring his opinion that they ought to be accepted and agreed to ; but they differed with him in opinion.*

These articles, for very obvious reasons, were not communicated to the Count de Vergennes.

Mr. Oswald did not receive any opinion from his Court relating to our articles until the 23d of October, when letters from the Minister informed him that the extent of our boundaries, and the situation of the Tories, &c., caused some objections, and the Minister's Secretary was on the way here to confer with us on those subjects.

On the 24th of October, I dined at Passy with Dr. Franklin, where I found M. Rayneval. After dinner we were in private with him a considerable time. He desired to know the state of our negociation with Mr. Oswald. We told him that difficulties had arisen about our boundaries, and that one of the Minister's Secretaries was coming here with papers and documents on that subject. He asked us what boundaries we claimed. We told him the river St. John to the east, and ancient Canada, as described in the proclamation, to the north. He contested our right to such an extent to the north, and entered into several arguments to show our claim to

* See these articles in the Correspondence of the Commissioners for peace.

be ill founded. These arguments were chiefly drawn from the ancient French claims, and from a clause in the proclamation restraining Governors from making grants in the Indian country, &c.

He inquired what we demanded as to the fisheries. We answered that we insisted on enjoying a right in common to them with Great Britain. He intimated that our views should not extend further than a coast fishery, and insinuated that pains had lately been taken in the eastern States to excite their apprehensions, and increase their demands on that head. We told him that such a right was essential to us, and that our people would not be content to make peace without it; and Dr. Franklin explained very fully their great importance to the eastern States in particular. He then softened his manner, and observed that it was natural for France to wish better to us than to England; but as the fisheries were a great nursery for seamen, we might suppose that England would be disinclined to admit others to share in it, and that for his part he wished there might be as few obstacles to a peace as possible. He reminded us, also, that Mr. Oswald's new commission had been issued posterior to his arrival at London.

On the 23th of October Mr. Adams arrived here, and in him I have found a very able and agreeable coadjutor.

When I began this letter, I did not flatter myself with being able to write this much before Captain Barney would leave us; and I now find myself too much exhausted to proceed with further details, and must therefore refer you to the letters you will receive from Mr. Adams and Dr. Franklin.

The same reason also prevents my writing to you and Mr. Morris on other subjects by Captain Barney, and I hope the length of this letter, and the disagreeable state of my health, will apologise for my not writing even to my own family by this opportunity.

I am sensible of the impression which this letter will make upon you and upon Congress, and how it will affect the confidence they have in this Court. These are critical times, and great necessity there is for prudence and secrecy.

So far, and in such matters as this Court may think it their interest to support us, they certainly will, but no further, in my opinion.

They are interested in separating us from Great Britain, and on that point we may, I believe, depend upon them; but it is not their

interest that we should become a great and formidable people, and therefore they will not help us to become so.

It is not their interest that such a treaty should be formed between us and Britain as would produce cordiality and mutual confidence. They will, therefore, endeavor to plant such seeds of jealousy, discontent, and discord in it as may naturally and perpetually keep our eyes fixed on France for security. This consideration must induce them to wish to render Britain formidable in our neighborhood, and to leave us as few resources of wealth and power as possible.

It is their interest to keep some point or other in contest between us and Britain to the end of the war, to prevent the possibility of our sooner agreeing, and thereby keep us employed in the war, and dependent on them for supplies. Hence they have favored, and will continue to favor, the British demands as to matters of boundary and the Tories.

The same views will render them desirous to continue the war in our country as long as possible, nor do I believe they will take any measures for our repossession of New York, unless the certainty of its evacuation should render such an attempt advisable. The Count de Vergennes lately said that there could be no great use in expeditions to take places, which must be given up to us at a peace.

Such being our situation, it appears to me advisable to keep up our army to the end of the war, even if the enemy should evacuate our country; nor does it appear to me prudent to listen to any overtures for carrying a part of it to the West Indies, in case of such an event.

I think we have no rational dependence except on God and ourselves, nor can I yet be persuaded that Great Britain has either wisdom, virtue, or magnanimity enough to adopt a perfect and liberal system of conciliation. If they again thought they could conquer us, they would again attempt it.

We are, nevertheless, thank God, in a better situation than we have been. As our independence is acknowledged by Britain, every obstacle to our forming treaties with neutral Powers, and receiving their merchant ships, is at an end, so that we may carry on the war with greater advantage than before, in case our negotiations for peace should be fruitless.

It is not my meaning, and therefore I hope I shall not be under-

stood to mean that we should deviate in the least from our treaty with France ; our honor and our interest are concerned in inviolably adhering to it. I mean only to say that if we lean on her love of liberty, her affection for America, or her disinterested magnanimity, we shall lean on a broken reed, that will sooner or later pierce our hands, and Geneva as well as Corsica justifies this observation.

I have written many disagreeable things in this letter, but I thought it my duty. I have also deviated from my instructions, which, though not to be justified, will, I hope, be excused on account of the singular and unforeseen circumstances which occasioned it.

Let me again recommend secrecy, and believe me to be, dear sir,
&c.,

JOHN JAY.

P. S. I have neither seen nor heard any thing of Mr. Laurens, nor of the cypher you mention to have sent by him.

Observations on the above Letter by the Editor.

Although in the present work I have carefully refrained from expressing any opinions on the contents of the letters, or views of the writers, not feeling authorized by the resolution of Congress, under which these papers are published, to assume the task of a commentator or critic, yet in regard to the preceding letter I cannot hesitate to make an exception to this rule, and for reasons which I trust will appear obvious and satisfactory.

On the main topics of the above letter I have read in the office of Foreign Affairs in London the confidential correspondence of the British Ministers with their Commissioners for negotiating peace in Paris. I have also read in the French office of Foreign Affairs the entire correspondence of the Count de Vergennes, during the whole war, with the French Ministers in this country, developing the policy and designs of the French Court in regard to the war, and the objects to be attained by the peace. I have moreover read the instructions of the Count de Vergennes to M. de Rayneval, when he went to London, and the correspondence which passed between them while he remained there, containing notes of conversations with Lord Shelburne on one part, and Count de Vergennes's opinions on the

other. After examining the subject with all the care and accuracy which these means of information have enabled me to give to it, I am prepared to express my belief most fully, that Mr. Jay was mistaken both in regard to the aims of the French Court, and the plans pursued by them to gain their supposed ends.

1. Mr. Jay conceived that one motive of M. de Rayneval's journey was to cause the acknowledgment of independence by Great Britain to be deferred till France and England should have arranged their treaty. But in reality, M. de Rayneval was instructed to insist on the independence of the United States as a *preliminary measure*. In a letter to the Count de Vergennes, dated September 28th, 1782, he writes, that Lord Shelburne said "he had always been opposed to independence, but that he perceived the necessity of ceding it, and that this object should be granted *without condition*." And in reporting the result of his conversations with the British Minister, M. de Rayneval states the points discussed in their order, the first of which is as follows:—*Independence, this article is agreed upon; it shall be without restriction;*" (*il sera sans restriction.*) So far from recommending, therefore, to defer the recognition of American independence, M. de Rayneval insisted on an agreement to it as a *preliminary step* to further discussions.

2. Mr. Jay supposed again that another purpose of M. de Rayneval's visit to London was to interfere with the claims of the United States respecting the fisheries and boundaries. But this supposition is contradicted by the following extract from his instructions, viz: "As it is possible that the English Ministers may speak to M. de Rayneval concerning the affairs of America and of the United Provinces, he will declare *that he has no authority to treat on these topics*." Accordingly we find him writing to the Count de Vergennes in the letter quoted above, that after discussing the subject of the fisheries with reference to the interests of England and France, Lord Shelburne said to him, "without doubt the Americans will also form pretensions to the fisheries, but he trusted the King (of France) would not sustain them." To which M. de Rayneval replied "that he was ignorant of the views of Congress concerning the object in question, but thought he might venture to say that the King would never support unjust demands; that he was not able to judge whether those of the Americans were such or not; and that, besides, *he was*

without authority in this respect." Again, in the same letter, M. de Rayneval adds: "Lord Shelburne said he had foreseen that there would be a great deal of difficulty with the Americans, as well in regard to boundaries, as to the fishery of Newfoundland; but he hoped that the King would not sustain them in their demands. I answered that I did not doubt the earnest desire of the King to do all in his power to restrain them within the bounds of justice and reason. As to the extent of the boundaries, I supposed the Americans would regulate it by their charts; but the discussion was not continued far, *because it did not pertain to me either to uphold or weaken the pretension of America*, with which I was unacquainted. I added only, that the English Ministry ought to find in the negotiations of 1754, relative to the Ohio, the limits which England, then the sovereign of America, believed it proper to assign."

The above extracts, it must be kept in mind, are from the confidential letters written at the time between M. de Rayneval and Count de Vergennes. The purport of them is corroborated by testimony that might be drawn from other sources. They show most clearly, that Mr. Jay's suspicions were in reality erroneous, on whatever grounds he might at the time suppose them to rest. M. de Rayneval's visit to London had nothing to do with American affairs, except to insist on unconditional independence.

Nor is it improbable that the change in Mr. Oswald's commission was effected in consequence of M. de Rayneval's representations; for the agreement on the part of the British Minister to cede independence "*without restriction*" was made before Mr. Vaughan's arrival in London, as a messenger from Mr. Jay.

These facts go far to rescue the French Ministry from the censure which it has been usual to cast on them, respecting their supposed policy in the negotiations for peace. Whoever will examine all the testimony that exists on the subject will be convinced that some grave particulars have crept into our history, which have a slender foundation in fact, and which bestow but scanty justice on the motives, conduct, and policy of the first ally of the United States.*

JARED SPARKS.

* For a further elucidation of this subject see the North American Review for January, 1830, No. LXVI, p. 15. Also Mr. Livingston's letter to Mr. Jay, dated January 4th, 1783, in the present volume.

ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, November 23d, 1782.

Dear Sir,

I have before me your letters of the 25th and 28th of June. I congratulate you on your safe arrival at Paris, where I venture to hope your residence will on many accounts be more agreeable than it was at Madrid. Nothing can be more pleasing to us than your determination to write very frequently, since I am sorry to say that we have not yet been favored with such minute information on many points of importance as we have reason to expect. Both Dr. Franklin and yourself dwell so much in generals in your last letters. that had it not been for a private letter of the Marquis to me, Congress would have remained ignorant of points which they have thought sufficiently important to make them the foundation of those resolutions, which are herewith transmitted to you.

You need be under no apprehensions that Commissioners from the Court of Great Britain will be allowed to negotiate with Congress; their sentiments on this subject are sufficiently manifested in the resolutions that are sent to you and Dr. Franklin with this. And the case of Mr. Burgess, which you will find in one of the papers of last week, and in my letter to Dr. Franklin,* afford you some evidence of the extreme caution of particular States on this head.

That in the mass of our people there is a great number who though resolved on independence, prefer an alliance with England to one with France, must be a mere speculative opinion, which can be reduced to no kind of certainty. If we form our judgment from acts of Government, we would suppose that no such sentiment prevailed; they all speak a different language. If from the declarations of individuals, we must entertain the same opinion, since independence and the alliance with France connect themselves so closely together that we never speak of them separately. The mass of the people here are not so ignorant of the common principles of policy as to prefer an alliance with a nation whose recent pretensions, and whose vicinity renders them mutual enemies, to that of a Prince who has no claims upon them, and no territory in their neighborhood, at least

* See Franklin's Correspondence. Vol. II, p. 388.

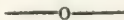
till the principles of his Government shall be changed, and he gives evident proofs of the want of justice and moderation.

I think it unnecessary to repeat to you what I have already written to Dr. Franklin, presuming that you communicate with freedom to each other. Mr. Jefferson will afford, I dare say, a very acceptable aid to your commission; I have not yet learned from him whether he will take the duties upon him.*

Mr. Barlow, a poet of New England, has requested me to transmit you his proposals for printing, by subscription, a poem of which he is the author. I can give no character of the work, but what you will get from the specimen enclosed, which is all I have seen of it. The enclosed resolution informs you of Mr. Boudinot's advancement to the Presidentship. For other intelligence I refer you to my letter to Dr. Franklin, and the papers that accompany this.

I am, dear sir, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

Paris, December 12th, 1782.

Dear Sir,

I have already written a long letter to you by this vessel, and should have continued the details of our subsequent proceedings, had my health admitted of the necessary application.

You will receive from us a joint letter with a copy of the preliminaries. I shall therefore omit making any remarks on them.

Before I left Spain, and by letters since my arrival here, I desired Mr. Carmichael to make out and transmit the public accounts. Our negociations with that Court are at a stand. The Count d'Aranda either has not, or does not choose to show me a commission to treat. He is exceedingly civil, and frequent visits pass between us.

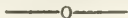
It gives me pleasure to inform you, that perfect unanimity has hitherto prevailed among your Commissioners here; and I do not recollect, that since we began to negociate with Mr. Oswald, there has been the least division or opposition between us. Mr. Adams

* Mr. Jefferson did not join the Commissioners for Peace.

was particularly useful respecting the eastern boundary, and Dr. Franklin's firmness and exertions on the subject of the Tories did us much service. I enclose herewith a copy of a letter he wrote about that matter to Mr. Oswald.* It had much weight, and is written with a degree of acuteness and spirit seldom to be met with in persons of his age.

I have the honor to be, with great regard and esteem, dear sir, &c.,

JOHN JAY.



ROBERT R. LIVINGSTON TO JOHN JAY.

Philadelphia, January 4th, 1783.

Dear Sir,

I have before me your despatches of the 4th and 18th of September last, and the 13th of October. It gives me much uneasiness to find by them that your health is not yet confirmed, particularly as the extreme shortness of your letters, compared with the importance of the matter, gives me reason to fear that it has suffered more than you would have us believe.

I am under some anxiety relative to the fate of your letter of the 18th of September, as only the duplicate copy has arrived, and I find by that you have risked it without a cypher. Should it get into improper hands it might be attended with disagreeable consequences.

It is of so much importance that both you and we should judge rightly of the designs of the Court to whom we have entrusted such extensive powers, that I most earnestly wish you had enlarged on the reasons which have induced you to form the opinion you intimate; an opinion which, if well founded, must render your negotiations extremely painful, and the issue of them very uncertain. If, on the other hand, it should have been taken up too hastily, it is to be feared that, in defiance of all that prudence and self-possession for which you are happily distinguished, it will discover itself in a reserve and want of confidence which may afford hopes to our artful antagonists of exciting jealousies between us and our friends. I so sincerely wish that your conjectures on this head may not be

* See Franklin's Correspondence. Vol. II, p. 390.

well founded, that I am led to hope you carry your suspicions too far, and the more so as Dr. Franklin, to whom I dare say you have communicated them freely, does not (as you say) agree in sentiment with you. But I pretend not to judge, since I have not the advantage of seeing from the same ground. Perhaps some light may be thrown upon the subject by such facts as I have been able to collect here, and with which it is impossible you should be acquainted.

The policy you suppose to influence the measures of France can only be founded in a distrust which I persuade myself she can hardly entertain of those who have put their dearest interest into her hands. She is too well informed of the state of this country to believe there is the least reason to suppose that we could have the most distant idea of a separate peace. If such distrust really exists, it would, in my opinion, dictate to them to let Great Britain acknowledge our independence at once, rather than make it the subject of subsequent negotiation. When satisfied on that point, we can with more advantage contend for those our allies have at heart. Whereas, by withholding it, and making it the price of concessions on the part of France, which she may not choose to make, an opportunity would be afforded to embroil and incline us to listen to separate proposals. Upon this principle France seems to have acted in all the answers which she has hitherto given, as well to the direct proposals of Great Britain as to those made by the Imperial Courts. When Mr. Grenville proposed to treat of the independence of the United States with his Most Christian Majesty, an opportunity was afforded to take the lead in the negotiation, and to suspend that part of it; yet we find the reply of the Court of Versailles led to a direct negotiation between Great Britain and us, and ended in the offer of unconditional independence. The reply of the Court of France to that of London, communicated to Mr. Grenville, on the 21st of June, speaks the same language.

From these and the following facts you will, when you have compared them with those within your own knowledge, draw your inferences with more judgment than I can pretend to do without those you possess.

Before your letters were received, the Chevalier de la Luzerne showed me a letter from the Count de Vergennes of the 14th of August, in which he speaks of Mr. Grenville's commission, and the

ground it gave him to hope that negotiations would open with an express and unconditional acknowledgment of independence. He mentions the change in the British administration; their assurance that it should occasion no alteration in the plan of their negotiation, and concludes by expressing his surprise at the alteration which afterwards took place in this essential article in the propositions offered by Mr. Fitzherbert, and infers from thence that Lord Shelburne had no other design than to divide and deceive. In a letter of the 7th of September, he mentions Mr. Oswald's commission, your objections to it, and his doubts of the manner in which these objections will be received. "If," says he, "Mr. Oswald is right in his conjecture that they will be favorably received and removed, then every thing *is said*. If they reject them because they will not begin where they propose to end, I conceive the negotiations should still go on. We may judge of the intentions of the Court of London by their first propositions. If they have independence for their basis, we may proceed; *if not, we must break off*." In his letter of the 14th of October, he mentions, with great apparent satisfaction, the alterations in Mr. Oswald's commission. From the general tenor of these letters, I can discover nothing but an anxious desire for peace, which might very naturally lead him to wish that objections, which he did not conceive essential in the first instance, after having declared to Great Britain that no peace could be made till our independence was acknowledged, should not break off a negotiation which must end in the attainment of an object which they have as much at heart as we.

Whatever the sentiments of the Count de Vergennes may be as to the claim of Spain, in a letter which I have seen he treats them, as well as ours, as chimerical and extravagant, and declares that he does not mean to interfere in them. You can best judge of the sincerity of this declaration. If insincere, I cannot conceive for what purpose it was made, or the subject treated so lightly, or why this should be confided to me. For my own part, I believe their situation with respect to Spain is very delicate, and that they are embarrassed by her demands. I mention these things that you may, by comparing them with facts within your reach, draw useful inferences from them; and I wish to give you every thing that may *possibly* be of use to you.

As to the letter of Marbois, I am by no means surprised at it,

since he always endeavored to persuade us that our claim to the fisheries was not well founded. Yet one thing is very remarkable, and I hope evinces the determination of France to serve us on this point. The advice given to discourage the hope is certainly judicious, and yet we find no steps taken in consequence of it. On the contrary, we have been repeatedly told in formal communications since that period, "that the King would do every thing for us that circumstances will admit, and that nothing but dire necessity shall induce him to relinquish any of the objects we have at heart, and that he does not imagine that such necessity will exist." This communication was made on the 21st of last November from letters of the 7th of September, *previous to our success at Yorktown*, and has been renewed at different periods since. You will undoubtedly avail yourself of this engagement if necessary. Congress relying upon it, have made no alteration in their instructions since the change in their affairs by the blow the enemy received at Yorktown.

This letter of Marbois, and the conduct of the Court of France, evince the difference between a great politician and a little one. France can, by prohibiting the importation of fish, supply herself; she cannot do more. Our exclusion from the fishery would only be beneficial to England. The enmity it would excite, the disputes it would give rise to, would, in the course of a few years, obliterate the memory of the favors we have received. England, by sacrificing a part of her fisheries, and protecting us in the enjoyment of them, would render herself necessary to us, our friendship would be transferred to her, and France would in the end be considered as a natural enemy. I am persuaded she has wisdom enough to see this in its true light.

I know not how far the Marquis may deserve your confidence; you are the best judge of his conduct. I ought, however, in justice to him to mention that he has steadily, in all his letters, recommended an adherence to our claims, and assured us that both might be obtained if insisted upon.

You see, sir, I have purposely leaned to the opposite side from that which you appear in some measure to have taken; not because I think you *are* wrong in the opinion you have adopted, but because you *may possibly* be so. Such essential injuries may flow from the slightest jealousies, that I wish you to examine yours with

all the coolness you are master of. I am persuaded the last hope of Britain is founded on the distrusts they may sow among their enemies. I wish you had in a private letter in cypher informed me how you got at the letter of Marbois, and why it was copied in English. I more particularly wish to know whether it passed through the hands of either of the British Commissioners. If it has, it will be of some consequence to see the original, not that I doubt its authenticity, but it may possibly have undergone some alterations. That which follows what is said of the great bank is nonsense, or if it conveys any meaning, I think it is not such as a man of common sense would speak.*

Count de Vergennes, in his letters dated a day later than yours, gives no account of your propositions. I should conclude from this circumstance that they had not been communicated. If I were not convinced that, acting under the instructions you do, you would not withhold them except for the most weighty reasons, and that if such reasons existed you would have assigned them in your letters, and presuming, therefore, that you had communicated them, I have made no secret of them to the Count de la Luzerne, who appeared much pleased with them, though a little surprised at the article which relates to commerce, which I cannot suppose perfectly agreeable to them in all its extent, since it will render a revolution necessary in the commercial system of France, if they wish to have an extensive trade with us. I am extremely pleased, that in freeing ourselves, we have a prospect of unfettering the consciences and the commerce of the world.

We are far from regretting that the Marquis d'Aranda has no powers to treat. We think with you that it is time to adopt the Spanish system. We may treat at any time with more advantage

* M. de Marbois's letter here alluded to was very long, and written in cypher. It was intercepted by the English, taken to London, there decyphered, translated into English, and sent to the British Commissioners in Paris, (while the negotiations for peace were in progress.) The sense of the writer would be very likely to suffer by this process of decyphering and translating. But M. de Marbois never complained that the letter was not in the main correctly translated. As soon as the British Commissioners received it in Paris, they put a copy of it into the hands of the American Commissioners. M. de Marbois was at that time only a Secretary of Legation, and wrote the letter while the Minister, M. de la Luzerne, was absent from Philadelphia, and without his knowledge. The sentiments of the letter were never avowed by the French Ministry.

than at present. You had received your instructions on this subject before you wrote your last letters. By your saying nothing of them, I supposed you had not decyphered them. Mr. Jefferson being the bearer of this, it is unnecessary to enlarge.* News and general politics will be contained in my letter to Dr. Franklin, to whom I also send an instruction on the subject of your commercial proposition. I enclose you a new cypher, which I pray you to make use of. You will find it very easy on a little practice. I must again entreat you to write more fully to us. I have received *from the Count de Vergennes's letters* the whole progress of the negotiation. Information of this kind it would give me more pleasure to receive through another channel.

I have the honor to be, dear sir, with great respect and esteem, &c.,

ROBERT R. LIVINGSTON.

—O—

TO ROBERT R. LIVINGSTON.

Paris, April 7th, 1783.

Dear Sir,

After the preliminaries had been settled and ratified, the Spanish Ambassador informed me that his Court was ready to receive me, not only in form, but "*très honnêtement.*" He *then* expected full instructions relative to the proposed treaty.

The Marquis de la Fayette, in his journey through Madrid, manifested great zeal to serve us there. A copy of a letter from him to the Minister will be sent you by another opportunity, though I imagine he has already forwarded it.

On the 29th ultimo the Spanish Ambassador communicated to me the desire of his Court that I would return to Madrid, and there complete the treaty, for that in their opinion it ought to be concluded either at *Madrid* or at Philadelphia.

You will have this communication at large in another letter.

No Ministry yet in England, nor any news of Barney, nor from you, since the 3d of January.

The definitive treaties must be concluded and the heats of summer abated before either my business here or the very delicate state of

* Mr. Jefferson did not go till some time afterwards.

my health will admit of a journey to Spain. Be assured of my esteem and regard.

I am, dear sir, &c.,

JOHN JAY.

TO ROBERT R. LIVINGSTON.

Paris, April 11th, 1783.

Dear Sir,

I wrote you a short letter on the 7th instant. Certain intelligence has since arrived from England that the Duke of Portland is First Lord of the Treasury, Mr. Fox and Lord North Secretaries of State, and Lord John Cavendish Chancellor of the Exchequer. It is also said that Lord Stormont is President of the Council, and the Duke of Manchester Ambassador to Versailles. I hear that Mr. David Hartley is appointed to conclude a definitive treaty with us.

The Emperor and Russia have been requested in their mediatorial capacity to send Plenipotentiaries to assist at the definitive treaties. The true motives to this measure can as yet be only conjectured. The ostensible one is a mark of respect to their offered, but not accepted, mediation. The proposition originated here. Their answer is expected daily. It is whispered that Russia consents. Safe opportunities of sending important letters from hence to Madrid are so very rare that I think yours for that place had better be always conveyed directed to Cadiz or other ports in Spain, where some American of confidence may be settled.

Numberless applications for Consulships continue to be made, and some will probably reach you. In my opinion, Americans only should be employed to serve America. I early entertained this opinion, and it has been almost daily gathering strength since my arrival in Europe.

I have the honor to be, &c.,

JOHN JAY.

TO ROBERT R. LIVINGSTON.

Paris, April 22d, 1783.

Dear Sir,

I wrote to you so lately by Mr. Mason, and there is such a dearth of news, that I now write less to give you information than as a mark of attention.

There are several of your letters which, on account of their length, the importance of their subjects, and the manner in which those subjects were treated, demanded of me more minute answers than my situation admitted of. Mr. Hartley is not yet arrived, but is daily expected. I am told by Mr. Laurens that he will propose that the people of the two countries shall have all the rights of citizens in each. The instruction of Congress on this important point is much to be desired. For my part, I think a temporary stipulation of that sort might be expedient. They mean to court us, and, in my opinion, we should avoid being either too forward or too coy. I have no faith in any Court in Europe, but it would be improper to discover that sentiment. There are circumstances which induce me to believe that Spain is turning her eyes to England for a more intimate connexion. They are the only two European Powers which have continental possessions on our side of the water, and Spain, I think, wishes for a league between them for mutual security against us. Perhaps this consideration should lead us to regard the present fervor of the British advances with the less indifference.

On looking over one of my former letters, containing my propositions to Spain, I find that I had omitted to explain the reason of the one for a guarantee of our possessions in North America. That we should *so* guaranty the Spanish possessions as to *fight* for them, was as distant from my design, as it could be from that of Congress. A common guarantee means nothing more than a *quit claim*, to which we certainly could have had no objection. When more is intended, provisional and express stipulations become necessary. To any such I never would have consented. A confidant of the Minister (and I believe by his directions) had assured me, that unless a guarantee was offered any other propositions would not induce the Minister to negotiate for a treaty. To meet that objection I made the offer in the general terms you have seen. I had no doubt but that the Minister was acquainted with my instructions; and I considered this objection as a pretext for delay. My opinion as to a certain proposed cession was known, and uses not advantageous to us or to me had been made of it. It appeared to me advisable that the intention of Spain with respect to us should have a full trial, and such a one as would convince Congress that I was entirely guided by their views and wishes.

I therefore endeavored so to frame those propositions as that they

should not afford the Minister any pretence for refusing to commence the negociation. The issue you are acquainted with.

I hope nothing will be done by the States for the Tories until the British forces shall be withdrawn, and then I confess it would be for our honor to forgive all except the perfidious and the cruel.

After the definitive treaties are finished, I hope I shall be excused in trying the waters of Spa and Bath (which are recommended to me) before I proceed to Spain. Whatever may be their effect, I shall not loiter at either place. After my business at Madrid shall be finished, I wish to devote my care to the recovery of my health and the concerns of my family, which must greatly interfere with the duties of my commission. Besides, as my country has obtained her object, my motives for entering into public life are at an end.

The same principles which drew me from the private station I formerly occupied bid me to return to it. Actions are the only proofs of professions, and if I live, mine shall not want that evidence.

I am, dear sir, &c.,

JOHN JAY.

P. S. I am told that a vessel, which went last year from our country, on the Ohio, down that river, and through the Mississippi to the Havana, took passports from the Count de la Luzerne. This, if a fact, appears to me a singular one. I mention it merely as a matter of information.

J. J.



TO ROBERT R. LIVINGSTON.

Paris, May 30th, 1783.

Dear Sir,

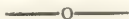
It cannot, in my opinion, be long before Congress will think it expedient to name a Minister to the Court of London. Perhaps my friends may wish to add me to the number of candidates for that office. If that should be the case, I request the favor of you to declare, in the most explicit terms, that I view the expectations of Mr. Adams on that head as founded in equity and reason, and that I will not by any means stand in his way. Were I in Congress I should vote for him. He deserves well of his country, and is very able to serve her. It appears to me to be but fair that the disagreeable conclusions which may be drawn from the abrupt repeal of his

former commission should be obviated by its being restored to him. I do, therefore, in the most unequivocal manner decline and refuse to be a competitor with that faithful servant of the public for the place in question.

As Mr. Barclay has power to settle our accounts in Europe, I wish that orders may be sent to Mr. Carmichael to come here with the books and documents necessary to enable Mr. Barclay to examine and settle the public accounts in my department. I cannot learn that my repeated requests to him to send a state of those accounts to Philadelphia have as yet been complied with.

I am, dear sir, &c.,

JOHN JAY.



TO ROBERT R. LIVINGSTON.

Paris, June 1st, 1793.

Dear Sir,

I have had the honor of receiving your favor of the 4th of January last. The cypher you mention to have enclosed is missing. My letter by Captain Barney affords an answer to the greater part of your inquiries. Business here goes on heavily. The Dutch and English are not yet agreed, and some points remain still to be adjusted between the latter and the French and Spaniards. Mr. Hartley has an ample and proper commission to conclude with us. We are discussing the terms of a temporary commercial regulation; but as he is waiting for more full instructions, it may be a week or a fortnight before we shall be able to inform you of the real intentions of Britain on that subject.

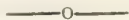
Before I left Spain, and often since by letters, I desired Mr. Carmichael to make out and transmit to Philadelphia a clear and full state of the public accounts; and also, agreeably to Dr. Franklin's request, to send him an account of the bills remaining to be paid. The Doctor has not received his account; and I have no reason to suppose that you or Mr. Morris have received the other. I am not easy about this matter; for in case of the death or recall of Mr. Carmichael, (by whom all these accounts were kept, and through whom I managed those transactions,) I might experience difficulties respecting those accounts which may now be avoided.

I understood from Mr. Barclay that he is authorized to examine

and settle these accounts; and as Mr. Carmichael has not much to do at Madrid, I am very desirous that he should be ordered to bring here all the books and papers relative to these accounts, and with me to attend their settlement by Mr. Barclay. Be so good as to lay this matter before Congress without delay.

I have the honor to be, &c.,

JOHN JAY.



TO ROBERT R. LIVINGSTON.

Passy, July 20th, 1783.

Dear Sir,

The delays which have postponed the completion of the definitive treaty have hitherto prevented my trying the effect of the waters of Bath for a pain in my breast, which has continued in different degrees for a year past. Were I much longer to neglect that only probable chance of restoring my health, my little family might have much reason to complain.

I fear that the fluctuating counsels of the British Cabinet will protract that business until so late in the season as not to leave me sufficient time both to give the waters a fair trial and afterwards go to Spain, before the weather will become too inclement for an invalid to travel such a distance in a country so destitute of accommodations. Should that be the case, I shall hope to be excused for not undertaking it, especially as nothing of importance remains there to be done, except preparing the draft of a treaty of commerce, which I hoped to have been able to bring with me to America in the spring, when it was my fixed resolution to resign.

But as I should then pass the winter without being useful to the public, Congress may not perhaps think it reasonable that their allowance to me should be continued. I think it my duty, therefore, to apprise them of these circumstances, and to refer it to their discretion to assign such earlier date to my resignation as they may think best. I must beg the favor of you to request and to inform me of their decision on this subject, without delay; for as I shall not probably have an opportunity of sailing before June next, it is important to me to know by what rule I am to regulate the expenses of my family in the mean time.

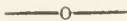
As you know upon what principles I have devoted myself to the

public for the last nine years, and as those motives would be questionable if after the war I did not return to a private station, I hope the propriety of my resolution to resign will appear manifest, especially when to these considerations are added the circumstances of certain individuals of my family, whose afflictions and whose relation to me give them the strongest claims to my care and attention.

Be pleased, sir, to present to Congress my warmest acknowledgments for the marks of confidence with which they have honored me; and assure them that, by becoming a private citizen, I mean not to retreat from any duties which an American owes his country.

I have the honor to be, &c.,

JOHN JAY.



TO THE PRESIDENT OF CONGRESS.

New York, July 25th, 1784.

Sir,

Having waited until the settlement of the public accounts was completed, I left Paris the 16th of May last, and on the 1st of June embarked with my family at Dover, on board the ship *Edward*, Captain Coupar, in which we arrived here yesterday. Mr. Barclay has transmitted, or will soon transmit, to Mr. Morris, a state of the abovementioned accounts; and as it will thence appear that some of the bills drawn upon me have been twice paid, it becomes necessary for me to inform your Excellency of the particular and cautious manner in which that business was transacted on my part. Soon after the arrival of the first bills, I directed Mr. Carmichael to prepare and keep a book, with the pages divided into a number of columns, and to enter therein the dates, numbers, and other descriptive particulars of every bill that might be presented to me for acceptance, and to which, on examination, he should find no objection. I made it an invariable rule to send every bill to him to be examined and entered previous to accepting it; and from that time to the day I left Spain I never accepted a single bill until after it had been inspected and sent to me by him to be accepted. Further, to avoid mistakes and frauds, I also made it a constant rule that every bill presented for payment should undergo a second

examination by Mr. Carmichael, that if he found it right he should sign his name on it, and that the bankers should not pay any bill unless so signed.

The bills twice paid, or rather the different numbers of the same set, stand entered in different places in the book abovementioned; and I can only regret that the entries of the numbers first presented and accepted were not observed by him, either at the time when the subsequent ones were offered for acceptance, or at the time when they were afterwards brought for payment.

It gives me pleasure to inform your Excellency that the British and American ratifications of the treaty of peace were exchanged a few days before I left Paris. The day of my departure I received, under cover from Dr. Franklin, a copy of the British ratifications, which I have the honor to transmit herewith enclosed.

With great respect and esteem, I have the honor to be, &c.,

JOHN JAY.

P. S. I shall send with this letter to the post office several others which were committed to my care for your Excellency.



THE CORRESPONDENCE

OF

FRANCIS DANA,

MINISTER FROM THE UNITED STATES TO RUSSIA.

FRANCIS DANA was a native of Massachusetts, and educated at Harvard University, where he was graduated in the year 1762. He studied the profession of the law, and was among the first to espouse the cause of the Colonies in resisting the aggressions of the mother country. In a letter to General Washington, dated Philadelphia, April 1st, 1776, Mr. John Adams speaks of him in the following terms :

“The bearer of this letter, Mr. Francis Dana, is a gentleman of family, fortune, and education, returned in the last packet from London, where he has been about a year. He has ever maintained an excellent character in his country, and a warm friendship for the American cause. He returns to share with his friends in their dangers and their triumphs. I have done myself the honor to give him this letter, for the sake of introducing him to your acquaintance, as he has frequently expressed to me a desire to embrace the first opportunity of paying his respects to a character so highly esteemed, and so justly admired throughout all Europe, as well as America. Mr. Dana will satisfy you that we have no reason to expect peace with Great Britain.”

Mr. Dana returned to Massachusetts and was chosen a delegate to Congress in December of the same year, though he did not take his seat in that body till the November following. This station he filled till September, 1779, when he was appointed Secretary to Mr. John Adams, the Minister Plenipotentiary for negotiating a treaty of peace and a treaty of commerce with Great Britain. He went to Europe with Mr. Adams, and resided with him in Paris, and a short time in Holland. On the 20th of June, 1780, he was commissioned to negotiate a loan in Holland, provided Mr. Adams should be prevented by other business from attending to it. As Mr. Adams undertook the negotiation, Mr. Dana did not enter upon this commission.

On the 19th of December, he was elected by Congress to be Minister resident in Russia, with authority to accede to the convention of the neutral and belligerent Powers for protecting the freedom of commerce and rights of nations, and also to negotiate a treaty for this purpose. He received his commission and instructions in Paris, and after spending a short time in Amsterdam and Berlin, he arrived at St. Petersburg towards the end of August, 1781. Here he applied himself with zeal and activity to the objects of his mission, but the policy of the Russian Court

was at that time such, as to prevent its recognizing the independence of the United States, or receiving publicly a Minister from that Government. In his private capacity, Mr. Dana was treated with due consideration, and was promised that, after the signature of the definitive treaty at Paris, he should be admitted to an audience of the Empress, and received in his public character, as Minister from the United States. Meantime his continued ill health had induced him to solicit from Congress permission to return home, which was granted. He sailed from St. Petersburg in a ship bound for Boston, where he arrived in December, 1783.

Mr. Dana was a member of the Convention at Annapolis, and of the Convention of Massachusetts for ratifying the Constitution of the United States. In this latter body he took an able and decided stand in favor of the Constitution. He was afterwards for many years Chief Justice of the State of Massachusetts, and died in 1811, at the age of sixty-seven years.

CORRESPONDENCE.

TO THE PRESIDENT OF CONGRESS.

Paris, August 10th, 1780.

Sir,

Mr. Adams having left Paris the 27th of last month to visit the Low Countries, I do myself the honor of forwarding to your Excellency two packets, the one containing his letters to you from No. 89 to 99 inclusive, and two private letters from a gentleman in London to him, the other containing letters numbered in their order from No. 1 to 10, inclusive. I shall also forward to your Excellency, if the bearer can take them, all the newspapers we have on hand. The whole will be committed to the care of Captain Jones, who will sail in the Ariel.

Had I been apprized less suddenly of the time of Captain Jones's departure, I should also have sent translations of the declarations of the Courts of Copenhagen and Stockholm to the belligerent Powers, conforming to that of the Empress of Russia, relative to the commerce of the neutral Powers and the armed neutrality. These declarations are in the "*Suite des Nouvelles d'Amsterdam*" of the 8th of August, No. 63. The fleet which left Virginia the 14th of last June under the convoy of the *Frère Rodérique*, bound for France, are all except one, which foundered at sea, the crew being saved, safely arrived. A vessel which left New London the 27th of June, was cast away on the rocks entering Rochelle. We have no letters by any of these vessels, but learn from them that no intelligence had been received from M. de Ternay when they

left America. We cannot but lament our total want of intelligence respecting the state of our country.

I am, sir, with the greatest respect, &c.,

FRANCIS DANA.

—o—

TO THE PRESIDENT OF CONGRESS.

Paris, August 24th, 1780.

Sir,

I did myself the honor on the 10th instant to write to your Excellency by Captain John Paul Jones, who then expected to sail soon in the *Ariel* for Philadelphia, assigning as the reason the absence of Mr. Adams, who was gone to visit the Low Countries. I then forwarded to your Excellency two packets, one containing his letters to you, and two private letters from a gentleman in London to him; the other containing letters to and from the Minister, and I also sent all the newspapers we then had on hand, directing the whole to the care of Captain Jones.

Mr. Adams has not returned. I had a letter from him of the 17th instant, in which he makes no mention of his being about to return, so that it is probable he will stay there sometime longer. If any thing occurs here worthy the notice of Congress during his absence, I shall not fail to do myself the honor of communicating it to your Excellency. The packets sent with this contain Mr. Adams's letters to your Excellency from No. 91 to 100, and letters to and from the Minister from No. 1 to 7 exclusive, and also the newspapers which have come to hand since making the first packet. We have not received any advice of the arrival of M. de Ternay, or any intelligence of the operations of the Spaniards on the Continent, since the reduction of Mobile, or of the combined armaments in the West Indies.

I am, with the greatest respect, &c.,

FRANCIS DANA.

—o—

TO THE PRESIDENT OF CONGRESS.

Amsterdam, September 20th, 1780.

Sir,

Having been disappointed in my expectations of forwarding to

your Excellency the packets mentioned in the above letter from France, I have brought them on to this place, and shall commit them to the care of Captain Joseph Cook, of Providence, who is now ready to sail, and waits only for a wind.

I beg leave to acquaint your Excellency that Mr. Searle, a member of Congress, arrived at Paris on the evening of the 10th instant, and immediately sent me the despatches of Congress committed to his care. I perused them, and waited on him in the morning, and had a conversation of several hours with him, as well upon the subject-matter of those despatches, as upon the concerns of our country.* I thought it my duty immediately to prepare to set off for Amsterdam with the despatches, and did so the next day at noon, and without quitting my carriage arrived at Brussels the day after, and at Amsterdam on the 16th, where I had the happiness of finding Mr. Adams in good health.

From that moment to this he has been industriously engaged to endeavor to effectuate the purposes of Congress. What success we may meet with here is uncertain; but I hope I may give it as my clear opinion to Congress, that their views would be very much facilitated if Mr. Laurens, or any other person whom they may think proper to employ in this business, should be at the same time furnished with the powers of a Minister Plenipotentiary to the States-General. Some persons here, notwithstanding all that can be said, seem to be apprehensive that the United States have granted exclusive privileges in commerce to France. This idea is industriously propagated throughout Europe by the emissaries of our enemies, and especially in this country. A disposition in Congress, therefore, to form an alliance with the States-General upon principles of perfect reciprocity of interest, although they should not at this instant be prepared to enter into it, would unquestionably have a powerful influence in effectuating the main intention of Congress, and further, would give a consideration and independence to our councils throughout Europe, which they will never acquire while they remain in their present circumscribed state. We might, per-

* Among these despatches, Mr. Dana received a commission empowering him to obtain a loan in Holland, in case Mr. Adams should for any reason be prevented from attending to this object. As Mr. Adams was then in Holland, Mr. Dana did not act under this commission. See John Adams's Correspondence, Vol. III. p. 236.

baps, look still further with the hopes of much benefit to our country. There can be no occasion of being more particular on this subject. Indeed, I should not have troubled Congress at all from this place with any letter of mine, had not Mr. Adams requested me to give my sentiments to Congress upon the principal object of this letter. I have done so freely, and I presume the candor of Congress will excuse me in it.

I am, with the greatest respect, &c., FRANCIS DANA.

Commission to Francis Dana, referred to in the preceding Letter.

Whereas, by our commission to the honorable Henry Laurens, bearing date the 30th day of October, 1779, we have constituted and appointed him, the said Henry Laurens, during our pleasure, our agent for and on behalf of the United States, to negotiate a loan with any person or persons, bodies-politic or corporate; and whereas the said Henry Laurens having, by unavoidable accidents, been hitherto prevented from proceeding on his said agency, we have, by our commission bearing equal date herewith, constituted and appointed the honorable John Adams, until the said Henry Laurens, or some other person appointed in his stead, shall arrive in Europe, and undertake the execution of his aforesaid commission, our agent to negotiate a loan as aforesaid.*

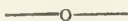
And whereas it may so happen that the said John Adams, by reason of some disability arising from the state of the business of his present appointment, or otherwise, may be prevented from undertaking the execution of the said commission, or having undertaken it, from proceeding therein; we, therefore, reposing especial trust and confidence in your patriotism, ability, conduct, and fidelity, do by these presents constitute and appoint you, the said Francis Dana, in the event of the disability of the said John Adams, as aforesaid, until the said Henry Laurens, or some other person appointed in his stead, shall arrive in Europe, and undertake the execution of the aforesaid commission, our agent for and on behalf of the said United States,

* See Mr. Adams's Commission in John Adams's Correspondence, Vol. III, p. 237.

to negotiate a loan with any person or persons, bodies-politic or corporate, promising in good faith to ratify and confirm whatsoever shall by you be done in the premises, or relating thereto.

Witness his Excellency Samuel Huntington, President of the Congress of the United States of America, at Philadelphia, the 20th day of June, in the year of our Lord 1780, and in the fourth year of our independence.

SAMUEL HUNTINGTON, *President.*



TO JONATHAN JACKSON.

Amsterdam, November 11th, 1780.

Sir,

You must before this time have heard of the capture of the late President Laurens on his voyage hither; that the enemy affect to consider him a State prisoner, and have, accordingly, confined him to the Tower, *in arcta et salva custodia*. Their treatment of him has marked the barbarity of the nation from the throne to the footstool. Does this look like peace? They recovered a part of his papers, such as the plan of a treaty adjusted by Mr. William Lee, with the Regency of this city in 1778, a letter from M. de Neufville upon the subject, one from our friend the Commodore, one from Mr. Stockton, and one from an amiable character of this country, whom I personally know, Baron Van der Capellen. These were hurried over to Sir Joseph Yorke, and by him delivered to the Prince, who, it is said, in much wrath, laid them before the States of Holland, who transmitted copies of them to the Regency, accompanied with certain resolutions.

The Regency have openly avowed the act. This has brought on the most extraordinary memorial of Sir Joseph Yorke to the States-General, which, perhaps, any foreign Minister ever made to an independent State; calling for their open disavowal of the conduct of the Regency; censuring them as a mad cabal, ever ready to sacrifice the public interests to private views, aiding the natural enemy (France) of both countries in destroying their mutual happiness; and it demands of the States-General, also, an exemplary punishment of the Pensionary, Van Berckel, by name, and of all his *accomplices*, as disturbers of the public peace, and violators of the

laws of nations, that is, of the other members of the city Regency, for he acted officially in what he did, and by their order.

In default of this, the memorial says, the King will take such measures as the maintenance of his dignity and the interests of his people require. The Regency have hereupon published the whole matter, in the nature of an appeal to the people, which you will, doubtless, soon have among you. What further measures they have taken to vindicate themselves, and their country's rights and interests, are not yet made public. The States-General will meet the 22d instant. It is not probable they will or can comply with the several requisitions of this memorial. You may ask me, as in another case, what can Great Britain promise herself from all this? Whether or not she expected to be able to effect a compliance with her demands, which does not seem probable, by the weight of her influence in this Republic; or whether this memorial was to serve as a balance to that of the States-General, respecting the outrageous violation of her territorial rights by Admiral Rodney, at St. Martin's; or whether she foresaw that the States-General would accede to the armed neutrality, and is therefore determined to go to war with them upon other pretences, so as to avoid for a time, at least, warring upon the whole confederacy; whether any of these things were the motive of this singular conduct, is to me uncertain. If she seriously intends to put her threat against this country into execution, I should conjecture the last is the prevailing motive. For already Holland and three other of the States have declared for an unconditional accession to the neutral confederacy; two more have declared for an accession, but allege that their territories in both the Indies should be guaranteed. This, however, I understand, is not absolutely made a condition, and that their Deputies are at liberty to accede without such guarantee, if they think fit. The seventh is the Province of Zeeland, where the influence of the Prince is without control; from thence, therefore, nothing short of an open opposition to the neutral system is expected. Whether the other six States are prepared and determined to accede without Zeeland, a short time will show.

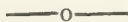
The navy of these States is too feeble at present for an immediate war with England, which they seem to apprehend must take place upon their joining the neutral confederation. They have, I believe, but about twenty-six vessels, instead of the fifty-two voted, ready for sea. It has been apprehended their naval preparations have been

designedly kept back, in order to keep up the fears of the States about a war with Britain. There is no question but the Prince is fixed against it, and whatever ideas some of our countrymen may have entertained of the liberties of this people, they are as effectually enslaved by their magistracy as are any people in the Old World by the mighty kings who hold almost all the rest of it in bondage. Nay, the influence of the Prince seems to pervade almost every department of their Government, and the whole machine is much obstructed when set in motion in a direction repugnant to his inclinations and views.

May Heaven preserve us from Kings, Princes, and Stadtholders. The people are the best guardians of their own liberties and interests.

I am, &c.,

FRANCIS DANA.



INSTRUCTIONS TO FRANCIS DANA, AS MINISTER PLENIPOTENTIARY TO
THE COURT OF ST. PETERSBURGH.*

In Congress, December 19th, 1780.

Sir,

The great object of your negociation is to engage her Imperial Majesty to favor and support the sovereignty and independence of these United States, and to lay a foundation for a good understanding and friendly intercourse between the subjects of her Imperial Majesty and the citizens of these United States, to the mutual advantage of both nations.

You will readily perceive that it must be a leading and capital

* *In Congress, December 15th, 1780.*—"Whereas, a good understanding and friendly intercourse between the subjects of her Imperial Majesty the Empress of all the Russias and these United States may be for the mutual advantage of both nations:

"*Resolved*, That a Minister be appointed to reside at the Court of the Empress of Russia.

"*Ordered*, That Monday next be assigned for electing such Minister.

"*Ordered*, That a committee of three be appointed to prepare a commission and draft of instructions for the said Minister.

"*December 19th, 1780.*—Congress proceeded to the election of a Minister to reside at the Court of the Empress of Russia; and the ballots being taken, the Hon. Francis Dana was elected."

point if these United States shall be formally admitted as a party to the convention of the neutral maritime Powers for maintaining the freedom of commerce. This regulation, in which the Empress is deeply interested, and from which she has derived so much glory, will open the way for your favorable reception, which we have the greater reason to expect, as she has publicly invited the belligerent Powers to accede thereto.

And you will give it an attention suitable to its importance. Your success will, however, depend on the variety of sources and contingencies ; on a more perfect knowledge of the state of Europe than can be obtained at this distance ; on the ultimate views of her Imperial Majesty, the temper of her Cabinet, the avenues to their confidence, the dispositions of the neutral Powers with whom she is connected, and the events of war. Under such circumstances, precise instructions for your conduct cannot be expected ; on the contrary, the greatest room must be left for the exercise of your own penetration and assiduity in gaining proper information, and for your prudence and address in improving it to the best advantage. Your zeal for the public interest will lead you to embrace every favorable incident and expedient which may recommend these States to the friendship of her Imperial Majesty and her Ministers. Your attachment to the honor and independence of your country will restrain you from every concession unbecoming the dignity of a free people. The diplomatic order in which you are placed by your commission will prevent embarrassment which, in so delicate a case, might arise from the punctilio of ceremony, while it entitles you to all the confidence and protection essential to the office of a public Minister.

For the further execution of your trust, you will conform, as far as possible, to the following instructions :

1. You shall communicate your powers and instructions to our Ministers Plenipotentiary at the Court of Versailles, and for negotiating peace, and avail yourself of their advice and information ; and it may be prudent through them to obtain the sense of the Court of France thereon.

2. You shall communicate the general object of your mission to the Minister of his Most Christian Majesty at the Court of Petersburg, and endeavor through his mediation to sound the disposition of her Imperial Majesty or her Ministers towards these United States.

3. If the result of your inquiries should point out a fair prospect of an honorable reception, you are to announce your public character, and deliver your letters of credence in the usual form.

4. You are to manifest on all proper occasions the high respect which Congress entertain for her Imperial Majesty ; for the lustre of her character and the liberality of her sentiments and her views ; and particularly you are, in the strongest terms, to testify our approbation of the measures which her Imperial Majesty has suggested and matured for the protection of commerce against the arbitrary violations of the British Court. You will present the act of Congress herewith transmitted, declaring our assent to her Imperial Majesty's regulations on this subject, and use every means which can be devised to obtain the consent and influence of that Court that these United States shall be formally invited or admitted to accede as principals and as an independent nation to the said convention. In that event, you are authorised to subscribe the treaty or convention for the protection of commerce in behalf of these United States, either with her Imperial Majesty conjunctly with the other neutral Powers, or if that shall be inadmissible, separately with her Imperial Majesty or any one of those Powers.

5. You are to impress her Imperial Majesty and her Ministers with a sense of the justice of our cause, the nature and stability of our union, and the solemn engagements by which not only the States but his Most Christian Majesty are reciprocally bound to maintain the sovereignty, rights, and jurisdiction of each of the thirteen States inviolably ; and the utter impracticability of our acceding to any treaty of peace with Great Britain, on the principles of a *uti possidetis*, or on any other terms than such as shall imply an express or tacit acknowledgment of the sovereignty of each and every part, and which shall be consistent with the letter and spirit of our treaty of alliance and friendship and commerce with his Most Christian Majesty. You shall represent, in pointed terms, the barbarous manner in which, contrary to the laws of all civilized nations, the war has been conducted by the enemy, the difficulties which we have surmounted, and the certain prospect, under the divine blessing, of expelling our enemies, and establishing our independence on such basis as will render us useful to the whole commercial world, and happy in ourselves. You shall assure her Imperial Majesty of our ambition to number so wise and magnanimous a Princess among

our friends, and to assign her a distinguished place among those illustrious personages of ancient and modern times who have delighted in promoting the happiness of mankind, and in disarming tyranny of the power of doing mischief.

6. You shall assure her Imperial Majesty and her Ministers of the sincere disposition of these United States to enter into a treaty of friendship and commerce with her on terms of the most perfect equality, reciprocity, and mutual advantage, and similar to those expressed in our treaty with his Most Christian Majesty ; and you are authorized to communicate with her Imperial Majesty's Ministers on the form and terms of such treaty, and transmit the same to Congress for their ratification.

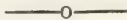
7. You shall communicate punctually with our respective Ministers in Europe, and avail yourself of their advice and information, and of the success of their respective negotiations to raise our importance and support our interest at the Court of Petersburg.

8. You shall endeavor to acquire a perfect knowledge of the manners and etiquette of the Court at which you reside, and particularly in the diplomatic line ; and of the manufactures and commerce of that empire ; and point out in your correspondence how far and on what conditions the two nations can be mutually beneficial to or improve each other in commerce or policy, arts or agriculture.

Lastly. And, in general, you shall pursue all such measures as shall appear to you conducive to the interests of the United States, to the faithful discharge of your important trust, and which circumstances may point out to be salutary and beneficial.

I am, &c.,

SAMUEL HUNTINGTON, *President.*



TO THE COMMITTEE OF FOREIGN AFFAIRS.

Paris, February 16th, 1781.

Gentlemen,

I do myself the honor to acquaint you that I returned to this city the 28th of December, where it is probable I shall continue till the public business may require me to join Mr. Adams, who still remains at Amsterdam. It was judged by both of us that no possible detriment could happen to our public concerns by this separation. On

the other hand, Mr. Adams was pleased to say it might be attended with some benefit.

Shortly after I came to town, your despatches by Captain Bell were forwarded to me. Though they were addressed to Mr. Adams, agreeably to his standing directions, I broke them open, and sent on to him such of them only as I knew he had not received before, and were necessary for the regulation of his present business. The additional instructions of the 18th of October, founded on his letters of the 23d and 24th of March last, and all the duplicates, I have still by me, not thinking it advisable to hazard them by the post. I have made Mr. Adams fully acquainted with this.

You will permit me to say that it is by no means prudent to commit to the care of the posts papers of the nature of some of your last despatches.

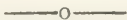
Mr. Adams has not been able to obtain the amount of the bills actually drawn on Mr. Laurens. The resolution of Congress of the 23d of November, 1779, expresses a certain sum; so does that of the 6th of October last. But Mr. Searle says it is not the design of Congress to draw to the amount of both resolutions; that they had stayed their hands upon the first, after having drawn for about a quarter part of the sum named in it, for particular reasons, which he mentions. It would have been a relief, under present circumstances, to have had this made certain. I am persuaded it would be acceptable to every one concerned in such business, to be acquainted as early as possible with the amount of bills drawn upon him from time to time, so that they might not fall in unexpectedly.

Congress, it appears from their printed journals, have taken into consideration the declaration of the Empress of all the Russias, relative to the commercial rights of neutral nations, and have thereupon passed several resolutions, and ordered that copies of them should be transmitted to their Ministers, yet no such copies have yet been received. Although there does not appear at present any pressing occasion for them, nevertheless it is possible, though I cannot say I think probable, that one may offer, in which case there would be a total deficiency of the necessary powers. Mr. Adams, in his last letter of the 8th instant, has desired me to consult with Dr. Franklin upon this business, which I shall soon do. Lest Mr. Adams should not have an opportunity to write from Holland, I would just say that the principal matter then remained in *statu quo*.

I am this moment acquainted by Mr. Temple Franklin, that a vessel has arrived at Nantes, which left the Capes of Delaware on the 7th of January, and that the Doctor has received copies of the resolutions of Congress relative to the above declaration of the Empress of Russia.

I am, gentlemen, with much respect, your most obedient and most humble servant,

FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

Paris, March 24th, 1781.

Sir,

I have the honor to acquaint your Excellency that Mr. Laurens arrived at Passy the 15th instant, and in the evening of the same day, sent me your despatches entrusted to his care, as well as those which came by the Duke of Leinster, both for Mr. Adams and myself. In a day or two after, I forwarded Mr. Adams's to him by a private opportunity, it being very unsafe to send any thing by the post, which it is of importance to keep secret. As I did not open them, I am wholly ignorant whether they contained any thing relative to our first commissions, or in what light to consider myself respecting them, provided I should not proceed to the Court of St. Petersburg. My actually going there is a condition precedent, and in virtue of which alone I am entitled to any thing under the resolution of Congress of the 20th of December last.*

I have communicated my instructions and commission, and every thing respecting it, to Dr. Franklin, and have asked his opinion whether it was expedient to make a communication of the general object of my commission to the Administration here. He said he thought it was, and that it might be advisable, likewise, to take the opinion of the Count de Vergennes whether it would not be proper to make this communication also to the Court of St. Petersburg, and obtain their approbation of the measure before I should set off for

**In Congress, December 20th, 1780.* "Resolved, That the President furnish the Minister appointed to the Court of Petersburg with letters of credit on the Minister Plenipotentiary of the United States at the Court of Versailles, for fifteen hundred pounds sterling, as his salary for one year; provided the said Minister shall proceed to the Court of Petersburg."

that country ; that a similar course was taken in the case of Mr. Arthur Lee for Madrid, and of Mr. William Lee for Vienna. My own opinion exactly coincides with the first part of his advice, but not with the latter part. I think that would rather create than clear away obstacles ; it would lay the Court of St. Petersburg under a necessity of considering the general object of my commission, and if after this they should approve of the journey, it might involve them in consequences they are not prepared to meet ; for Britain would consider such an act as absolutely decisive of the part the Court of St. Petersburg meant finally to take ; and this consideration, however well they might stand affected towards us, in my opinion would prevent their approving of the proposition, if it did not draw after it an absolute prohibition. There is no difficulty in going in the character of a private citizen of the United States, and when one has once entered the ground is changed. Admission and rejection are essentially different. Besides, one would be at hand to open the way gradually, as favorable occurrences might arise.

I have been at Passy this day to consult the Doctor again on this point, and to lay my objections before him ; but he was not at home. I shall do it the first opportunity. If we should finally differ on any point after having consulted Mr. Adams, agreeably to my instructions, if they concur in opinion I shall make no difficulty in conforming exactly to their better judgments ; otherwise I must exercise my own upon the choice of opinions. But if the result should be that I am not to proceed, how, and in what character, am I to consider myself ? Is my former commission superseded, and what am I to depend upon ? The resolution of Congress of the 20th of December last mentions a certain sum for which I have a letter of credit, conditionally, upon their Minister at this Court, as a salary for one year. Is it the intention of Congress that that sum is to be my whole support, in the character of their Minister, empowered to do the same things at the Court of St. Petersburg that their Ministers at other Courts which have not yet acknowledged the independence of the United States, are empowered to do ? Or is it their intention that my former commission should continue in force, and that I should receive the salary of both, which would make my whole support but nominally equal to that which Congress allows to their other Ministers.

Further, there is no mention made of a secretary or clerk

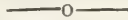
appointed to assist me, or any provision for either. Is it the intention of Congress to confine me to the sum mentioned in their resolution of the 20th of December last, and even leave me to provide out of it for a clerk or private secretary, (for one will be indispensable,) and for all other expenses? Congress will not surely take it amiss if I ask for information on these points. The absolute necessity I am under of knowing on what I have to depend, I trust will be my sufficient apology. I cannot but lament that the expediency of advising on these points did not occur to the Committee on Foreign Affairs. I have as yet received no information upon this subject but what comes to me in the acts of Congress and in your Excellency's letter accompanying them.

Convinced as I am of the propriety of such an appointment, it is my present determination, throwing aside all pecuniary considerations, to accept of this honorable trust. I wish my abilities were equal to the importance of it. I can engage for nothing more than sincere and uniform endeavors to promote the great end of it. Through you, sir, I beg leave to communicate my most respectful acknowledgments to Congress for this distinguished instance of their confidence in me.

I am, with the greatest respect, &c., FRANCIS DANA.

P. S. I will, under my present uncertainties, keep a regular account of all my expenses under this commission, and shall cheerfully submit to the justice of Congress the propriety of the charges I shall make, and how much ought to be allowed under the denomination of salary, expenses, &c. I shall hope, however, that Congress will reduce these things to a certainty as soon as is convenient. If I find it impracticable to conform to their views, the step I ought to take is very clear and plain.*

F. D.



TO THE PRESIDENT OF CONGRESS.

Paris, March 28th, 1781.

Sir,

I did myself the honor to write to your Excellency on the 24th

* See resolutions of Congress on the subject of Mr. Dana's salary and expenses, in the Secret Journal, Vol. II., p. 457.

instant, and to acknowledge the receipt of your despatches by Colonel Laurens and by the Duke of Leinster, both for Mr. Adams and myself. I also acquainted your Excellency that I had communicated my instructions, my commissions, and every thing respecting it to Dr. Franklin. I mentioned, also, the question I proposed to him, and his advice upon it, that I differed from him in the latter part of his advice, and assigned my reasons for doing so. I added I would the first opportunity lay before him my objections for his further consideration of that part of his advice. I have done so this day, and have the satisfaction to find that he now perfectly concurs in opinion with me, so that a simple communication of the general object only will be made here.

I have left the papers with him to consider whether he or I should make it. I think the last paragraph of the first article of my instructions seems to point it out to be the sense of Congress that he should do it. Through whatever channel it should be made, it seems to be agreed between us that the voyage is already settled, and not now a question for consideration. I hope none will be made about it. If there should not arise any obstructions out of this communication, I shall leave Paris on Sunday next, and proceed for Holland, where I shall consult with Mr. Adams upon the whole business of my mission; and it shall be my constant endeavor to give Congress the earliest information of every material circumstance respecting it. My situation may, however, render my communications less frequent than I could wish, or they expect, especially when it is considered that there is no safety in corresponding through the posts of these countries.

I hope no occasion will be lost to keep me properly informed of the state of our affairs, particularly of all military operations; so that I may be able to prevent our enemies making impressions to our disadvantage, in which business they constantly labor with much industry, and I wish I could not add with too much success; owing principally to our wanting the necessary information to counteract them.

The accession of Maryland to the Confederation is an event which may have some good influence upon our affairs, as it may serve to convince a great part of Europe that a strong principle of union exists among us. Yet of this we have not any other account than what comes in private letters, at least I have not seen or heard of any

other. Nothing but an anxious concern which I feel to be furnished with authentic evidences of events, which may be improved to the benefit of our country, has led me to speak of this, which I deem important in the manner I have done, and I presume Congress will not attribute it to a querulous disposition.

I am, with the greatest respect and esteem, &c.,

FRANCIS DANA.

—O—

TO THE COUNT DE VERGENNES.

Paris, March 31st, 1781.

Sir,

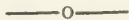
I have the honor to acquaint your Excellency, that Congress have been pleased to charge me with a commission as their Minister at the Court of St. Petersburg, and that reposing the highest confidence in his Most Christian Majesty, their first and illustrious ally, and in his Ministers, they have particularly instructed me to communicate the general object of my mission to his Majesty's Minister at the Court of St. Petersburg, to the end, without doubt, that their negociations at that Court might be carried on in perfect harmony with those of his Majesty, upon whose gracious and powerful assistance, through his Minister there, Congress place much reliance.

Had Congress apprehended their despatches would have met me here, they probably would not have failed to direct this communication to be made to his Majesty in the first instance, through your Excellency. Under this persuasion, I beg leave to acquaint your Excellency, that the general view of Congress in this mission is, to engage her Imperial Majesty to favor and support the sovereignty and independence of the United States, and to lay a foundation for a good understanding and friendly intercourse between the subjects of her Imperial Majesty and the citizens of the United States, to the mutual advantage of both nations, and consistent with the treaties subsisting between his Most Christian Majesty and the United States.

In the firm confidence that this measure will meet with the cordial approbation of his Majesty, I do not doubt but I shall experience his benevolence, in a proper encouragement and support, in the execution of my mission. It may be proper to acquaint your Excellency that I propose to set off for Holland next Wednesday morning, if

there should be no occasion for further delay, and from thence to proceed to St. Petersburg. It is not my intention to assume any public character on my arrival there, but to appear only as a private citizen of the United States, until the result of my inquiries shall point out a ready and honorable reception. I shall most cheerfully obey my instructions to communicate the general object of my mission to his Majesty's Minister at St. Petersburg, whose able advice and assistance, I hope your Excellency will be pleased to assure to me.

I am, with the greatest respect, &c., FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

Paris, March 31st, 1781.

Sir,

My letter of the 23th instant will inform your Excellency, that on that day I had a further consultation with Dr. Franklin upon the subject of my mission, particularly upon the mode of communicating the general object of it here, that having agreed upon that, I left the papers with him, to the end that if he thought it proper to make the communication, he might have them before him, and do it without loss of time.

Partly to save time in case the Doctor should be of the opinion that it was most proper for me to make it, and partly to lay before him my idea about it in writing, I drew up a letter to the Count de Vergennes, which I left with the other papers, a copy of which you will have enclosed. The Doctor called upon me late last evening with the whole, and told me he had attentively considered them, and that he thought it best I should make the communication; and was pleased to add, that he had carefully examined my draft of a letter in particular, and approved of it entirely; that he did not know of any alteration which could be made in it for the better. Confiding in his judgment more than in my own, I this morning sent a fair copy of it to the Count de Vergennes, (adding only the few words underscored,) which was received at his office at five o'clock this afternoon. This mode obliges me to postpone the time of my departure from Sunday to Wednesday next, when, as I have said in my last, if there should not arise any obstructions out of this communication, I shall set off for Holland.

I am not without my apprehensions on this head, yet I do not see that the measure could have been decently avoided, most certainly not, consistent with the letter and spirit of my instructions. I have endeavored to adapt the mode to the main end I have in view, that is, to stave off any question touching the expediency of the voyage at this time, or prior to my obtaining permission to make it; for the reasons mentioned in my letter of the 24th instant, as well as for others, which it may not be prudent to mention just now. Perhaps they are not well founded. I shall not fail to do myself the honor to transmit to your Excellency the answer I may receive to the enclosed, and a particular account of every material circumstance which may take place here before my departure. It is probable I shall have a safe opportunity to send duplicates of the whole from Holland.

I am, with the greatest respect, &c., FRANCIS DANA.

—o—

COUNT DE VERGENNES TO FRANCIS DANA.

Translation.

Versailles, April 1st, 1781.

Sir,

I have received the letter which you did me the honor to write to me on the 31st ultimo. I was already informed of the part taken by Congress in the mission with which you are charged for the Court of St. Petersburg. As it would seem that present circumstances ought to have some influence in fixing the time of your departure, I should be glad on this account to have an interview with you. The reflections which I shall communicate, have for their principle the sincere interest which I take in the cause of your country, as well as in the dignity of Congress.

I have the honor to be, &c.,

DE VERGENNES.

—o—

TO THE COUNT DE VERGENNES.

Paris, April 2d, 1781.

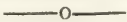
Sir,

I have received the letter which your Excellency did me the honor to write to me yesterday in answer to mine of the day before,

and I shall do myself the honor to wait on your Excellency for the purpose mentioned in it before my departure.

It is not to be doubted that the reflections which your Excellency desires to communicate to me are founded in the sincere interest which you take in the cause of our country and in the dignity of Congress.

I am, with the highest respect, &c., FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

Paris, April 2d, 1781.

Sir,

I do myself the honor to enclose to your Excellency the letter of the Count de Vergennes to me of yesterday in answer to mine of the day before, and my answer to him. Congress need not wait to be informed of the substance of the proposed conference in order to form a judgment of the sentiments of his Majesty's Ministers upon the mission with which they have charged me. These are sufficiently pointed out by the Count's letter, which proves the apprehensions hinted in my last were not wholly unfounded.

From the beginning I have foreseen the difficulty of my situation, and I have felt it likewise. Had my instructions been positive to proceed, I should have been considerably advanced on my route at this time. But what can I now do, if I should be told, as I certainly expect to be told, that it is not expedient to proceed at this time, nor until I have taken the sense of the Court of St. Petersburg upon the measure? I do not ask this question expecting any seasonable answer to it. Our distance is unhappily too great for timely explanation. I shall go to Versailles to-morrow to confer with the Count, after which, whatever may be the result there, I shall think it my duty to set off for Holland, for the purpose of consulting Mr. Adams on the whole matter. Having done this, I shall have taken every step which Congress will expect of me prior to my making up my final determination respecting my voyage to St. Petersburg. I will give your Excellency no further trouble at present, but as any new matter may arise, I will continue to give Congress, through you, the earliest information of it.

I am, with the greatest respect, &c., FRANCIS DANA.

TO THE PRESIDENT OF CONGRESS.

Paris, April 4th, 1781.

Sir,

If the packet which I sent off for L'Orient early this morning comes safe to hand, your Excellency will receive a copy of my letter of the 31st ultimo to his Excellency the Count de Vergennes, communicating to him the general object of my mission, my letter to yourself of the same date, a copy of the Count's answer to me of the 1st instant, proposing a conference with me before my departure, and my answer to *that* of the 2d, together with my letter of the same date to you.

I hurried these away, because I conceived the Count's letter clearly manifested the sentiments of his Majesty's Minister on the subject of my mission, and was afraid the opportunity of sending them would otherwise be lost. Whether I was too hasty in this opinion formed upon his letter, Congress will judge. However that may be, I am happy to say that in the conference I had with his Excellency this morning, (being at my particular desire introduced to him by Dr. Franklin,) I did not perceive that he had formed any fixed judgment upon it. Though he opened the conference with ideas perfectly consonant with those I had supposed him to entertain on the subject, yet when I had explained to him my proposed line of conduct, he did not persist in them. He seemed rather to have desired an opportunity of communicating to me his reflections by way of caution and advice, than as serious objections to the mission itself.

He asked if I had any particular object of negociation in view, to which I answered that I had communicated the general object of my mission in my first letter to him, that I had it not in contemplation to precipitate any negociation whatever, that I did not think it agreeable to the design of Congress, and that I certainly would never expose them to any indignities; that it was thought by Congress expedient to have some person at St. Petersburg with an eventual character, who might improve the favorable moment for assuming it. He inquired whether I had received any assurances from that country that my residence in it would be acceptable. I told him a gentleman not a native of the country had written from thence that some persons of rank, whether they were connected

with the Court at all I could not say, had expressed their wishes that some person should be sent there from America capable of giving information of the state of our affairs.

He observed that Russia had not acknowledged the independence of America, that British influence was not done away at St. Petersburg; that if I went, it would be supposed that I had some object in view, and there being no visible one, I being an American, would be supposed to have some political views, some eventual character, which might expose me if I had not permission to reside there, as he expressed himself, to some *désagréments*. I answered to this effect: That I should appear as a mere private gentleman travelling with a view of obtaining some knowledge of that country; that whatever suppositions of the sort might be made, the Court would always have it in their power to deny they knew any thing about me; and while I held such a line of conduct, I did not imagine they would consider themselves at all concerned in the matter. On the one hand, if I asked permission and obtained it, the British Court would consider that as a proof of the part which Russia meant finally to take, and would immediately act in consequence of it; that it would, perhaps, embarrass the Court of St. Petersburg unnecessarily. I added, I wished only to lay before his Excellency my ideas upon the subject, and begged him not to think it was my intention to press this point; that I had a perfect confidence in him, (and did not fail to assure him of that of Congress,) and wished for his advice; that I should always pay the highest respect to it, and should follow it in matters left to my discretion.

I put one general question to him, whether he thought my going would be injurious to our common interest? To which I did not receive a direct answer, but he advised me to mention my design of going to Petersburg to the Minister at the Hague. I asked him if he would permit me to make use of his name; but this did not comport with his idea of the matter, which was to keep my eventual character out of sight, and to propose the journey only as a private gentleman of America, desirous of seeing that country, and of inquiring into the nature and state of its commerce, &c. I am not yet wholly reconciled to this step; for if, unhappily, my first apprehensions are well founded, it would be exceedingly easy here to lay an insurmountable obstacle in my way. While I am making this

observation, I feel a concern lest it might be ungenerous. Besides, it has a strange appearance to me, for a private gentleman of one country to ask the public Minister of another, both being in amity together, whether it is safe or proper for him to travel into the other. The Minister would be apt to wonder what could give rise to such an inquiry, when the Americans are travelling into all other countries without molestation. But I will consult Dr. Franklin and Mr. Adams on this point.

In the course of our conversation, the Count told me that the resolutions of Congress with which I am particularly charged, (these are my words and not his,) had been well received on the part of Russia. This, doubtless, will give Congress satisfaction, as it seems to show a friendly disposition in that Court towards us. If no accident intervenes to prevent it, I shall set off for Holland next Sunday, from whence I hope to be in season to send your Excellency duplicates of the whole. I shall be happy if my conduct thus far meets the approbation of Congress.

I am, with the greatest respect, &c.,

FRANCIS DANA.

—o—

TO B. FRANKLIN.

Paris, April 6th, 1781.

Sir,

Having, agreeably to my instructions as well as my own inclinations, laid before your Excellency all the papers which I have received from Congress relative to my mission to the Court of St. Petersburg, and my correspondence with his Excellency the Count de Vergennes in consequence of the same, for the benefit of your good counsel, and as you were so kind, at my particular request, as to introduce me to the Count, at the conference we had last Wednesday upon the subject of my mission, and heard the whole, I hope you will not think I give you any unnecessary trouble when I request you to favor me, in writing, with your opinion upon the following matters: Whether, on the whole, you conceived the Count to have any objection to the mission itself? Or whether you considered his reflections upon the subject rather intended as cautions and advice to me, respecting the conduct he would wish me to hold in the business? Whether you supposed him, finally,

to make any real objections to my going to St. Petersburg in the character of only a private American gentleman, and there waiting for the favorable moment for opening my eventual character? And whether, all circumstances considered, your Excellency thinks it expedient for me to proceed to St. Petersburg in a private character only, and there to wait as abovementioned?

You will not, I presume, think I mean anything particular in my request, when I assure you I shall likewise ask of Mr. Adams his opinion, in writing, upon the same subject. Being directed by Congress to consult you and him, I am desirous only to have it in my power, in case of the death of either of you, to show them I have done so, as well as the result itself; and that I have paid, as I shall do, a proper respect and attention to your opinions and advice in the whole business.

I am, with the greatest, respect, &c.,

FRANCIS DANA.

P. S. I shall set out for Holland on Sunday morning, and shall cheerfully take your commands.

—o—

B. FRANKLIN TO FRANCIS DANA.

Passy, April 7th, 1781.

Sir,

I received the letter you yesterday did me the honor of writing to me, requesting my opinion, in writing, relative to the conference you had with his Excellency the Count de Vergennes last Wednesday, I being present; and also as to the expediency of your proceeding to St. Petersburg; which request I willingly comply with as follows:

Question 1. "Whether, on the whole, I conceived the Count to have any objections to the mission itself?"

Answer. He did not make any such objections, nor did he drop any expression by which it might be supposed he had any such in his mind.

Question 2. "Whether I considered his reflections upon the subject to be rather intended as cautions and advice to you respecting the conduct he wished you to hold in the business?"

Answer. His Excellency expressed his apprehensions that if you went thither under a public character, before the disposition of the

Court was known and its consent obtained, it might be thought improper, and be attended with inconvenience; and, if I remember right, he intimated the propriety of your consulting the Ambassador at the Hague.

Question 3. "Whether I supposed him finally to make any real objections to your going to St. Petersburg in the character only of a private American gentleman, and there waiting the favorable moment of opening your eventual character?"

Answer. His objections were, that though you should not avow your public character, yet if known to be an American who had been in public employ, it would be suspected that you had such a character, and the British Minister there might exert himself to procure you "*quelques désagréments*," i. e., chagrins or mortifications. And that, unless you appeared to have some other object in visiting St. Petersburg, your being an American would alone give strong grounds for such suspicions. But when you mentioned that you might appear to have views of commerce as a merchant, or of curiosity as a traveller, &c., that there was a gentleman at St. Petersburg with whom some in America had a correspondence, and who had given hints of the utility there might be in having an American in Russia who could give true intelligence of the state of our affairs, and prevent or refute misrepresentations, &c., and that you could, perhaps, by means of that gentleman, make acquaintance, and thence procure useful information of the state of commerce, the country, the Court, &c., he seemed less to disapprove of your going directly.

As to my own opinion, which you require, though I have long imagined that we let ourselves down in offering our alliance before it is desired, and that it would have been better if we had never issued commissions for Ministers to the Courts of Spain, Vienna, Prussia, Tuscany, or Holland, till we had first privately learnt whether they would be received, since a refusal from one is an actual slight that lessens our reputation and makes others less willing to form a connexion with us; yet since your commission is given, and the Congress seem to expect, though I think they do not absolutely require that you should proceed to St. Petersburg immediately, I conceive (that assuming only a private character for the present, as you propose) it will be right for you to go, unless, on consulting Mr. Adams, you should find reason to judge that, under the present circumstances of

the proposed mediation, &c., a delay for some time would be more advisable.

With great esteem, and best wishes for your success, &c.,

B. FRANKLIN.

—O—

TO JOHN ADAMS.

Leyden, April 18th, 1781.

Sir,

I feel myself happy that Congress have made it my duty to consult your Excellency upon the mission with which they have charged me for the Court of St. Petersburg. To this end I have already laid before you all the papers which I have received from Congress any way relating to it, and also my correspondence with his Excellency the Count de Vergennes and Dr. Franklin upon the same subject, as well as my letters to the President of Congress from the time I received this commission. From all these your Excellency will be fully instructed in the several matters on which I wish to have the benefit of your advice; but to bring some of them more immediately under your view, I beg leave to state the following questions:

Whether, all circumstances considered, your Excellency thinks it expedient for me to proceed to St. Petersburg in the character of a private citizen of the United States only, and to wait there for a favorable moment to announce my public character?

Or whether, previous to my going in such a character, you judge it expedient for me to communicate my design to Prince Gallitzen, Ambassador at the Hague, (secreting from him at the same time my public character,) and to take his opinion thereon, according to the intimation given to me by the Count de Vergennes at our conference?

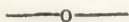
Whether it is advisable to communicate my real character to the Court of St. Petersburg, and to ask their permission before I undertake the journey?

Whether, in case you think it advisable for me to proceed to St. Petersburg in a private character only, without further communications to any one, you conceive it to be the intention of Congress that I should present their resolutions relative to the rights of neutral

vessels to the Court of St. Petersburg on my arrival there, or whether this is left to my discretion, to be regulated by the then state of affairs at that Court?

Your Excellency will readily perceive the propriety of my writing to you on this business, although we have already had a conference upon it, and my requesting your sentiments in writing also. I shall be happy to make a more particular communication of my own sentiments and views in further conversation, if you think it needful, before you give me yours.

I am, with the greatest respect, &c., FRANCIS DANA.



JOHN ADAMS TO FRANCIS DANA.

Leyden, April 18th, 1781.

Dear Sir,

I am at no loss what advice to give you in answer to the questions in your letter of this day, because they relate to a subject on which I have long reflected, and have formed an opinion as fully as my understanding is capable of. I think, then, it is necessary for you to prepare for a journey to St. Petersburg without loss of time, that you travel in the character of a gentleman, without any distinction of public or private, as far as the publication of your appointment already made in France will permit.

I should think it altogether improper to communicate your design to the Ambassador of travelling to St. Petersburg as a private gentleman, secreting from him at the same time your public character. It would expose you to something very disagreeable. The Ambassador would ask you why you asked his advice when it is well known that private gentlemen travel in every country in Europe without molestation. Besides, the Ambassador, I have reason to believe, would not give you any advice without instructions from his Court, and this would require so much time that the most favorable opportunity which now presents itself would be lost. And after applying to the Ambassador, and being advised against the journey, or to postpone it for instructions from his Court, it would be less respectful to go than to go now, when the circumstances of the times are very favorable.

The same reason applies equally against writing to the Court

beforehand. The best opportunity would be lost, and the Court would never encourage you to come until they had determined to receive you, and you would have no opportunity to assist the deliberations upon the subject by throwing in any light, by answering objections, or explaining the views of Congress.

After your arrival at St. Petersburg, I should advise you, unless upon the spot you discover reasons against it, unknown to us at present, to communicate your character and mission to _____ or the Minister of Foreign Affairs, in confidence, asking his advice, but at the same time presenting him a memorial ready prepared for the _____ . If he informs you, if it is best for you to reside there as a private gentleman, or to travel for a time into Sweden or Denmark, or to return here to Holland, where I shall be happy to have your company and counsels, take his advice.

The United States of America have nothing dishonorable to propose to any Court or country. If the wishes of America, which are for the good of all nations, as they apprehend, are not deemed by such Courts or nations consistent with their views and interest, of which they are the supreme judges, they will candidly say so, and there is no harm done. On the contrary, Congress will be applauded for their candor and good intentions. You will make your communication to the French Ambassador, of course, according to your instructions. This method was taken by this Republic in her struggle with Spain; nay, it was taken by the Republican Parliament in England, and by Oliver Cromwell. It was taken by Switzerland and Portugal, in similar cases, with great success. Why it should be improper now I know not.

I conceive it to be the intention of Congress that you should communicate their resolutions relative to the rights of neutral vessels; and I am the more entirely of this opinion because I have already communicated those resolutions to their High Mightinesses the States-General, and to their Excellencies the Ministers of Russia, Denmark, and Sweden, at the Hague, in pursuance of the letters I had received from the President, and I should now think it improper in me to sign a treaty according to those resolutions, if invited thereto, because it would be interfering with your department.

America, my dear sir, has been too long silent in Europe. Her

cause is that of all nations and all men ; and it needs nothing but to be explained to be approved. At least, these are my sentiments. I have reasons in my mind which were unknown to their Excellencies the Count de Vergennes and Dr. Franklin, when you consulted them—reasons which it is improper for me to explain at present. But the reasons I have given appear to me conclusive. No measure of Congress was ever taken in a more proper time, or with more wisdom, in my opinion, than the appointment of a Minister at the Hague and at St. Petersburg. The effects of it may not appear in sudden and brilliant success, but the time was exactly chosen, and the happy fruits of it will appear in their course.

Although I shall be personally a sufferer by your appointment, yet I sincerely rejoice in it for the public good. When our enemies have formed alliances with so many Princes in Germany, and so many savage nations against us ; when they are borrowing so much of the wealth of Germany, Italy, Holland, and Switzerland, to be employed against us, no wise Court or reasonable man can blame us for proposing to form relations with countries whose interests it is to befriend us. An excess of modesty and reserve is an excess still. It was no dishonor to us to propose a treaty to France, nor for our Ministers to reside there more than a year without being acknowledged. On the contrary, all wise men applauded the measure ; and I am confident the world in general will now approve of an application to the maritime Powers, although we should remain without a public reception as long as our Ministers did in France and Spain—nay, although we should be rejected. In this case Congress and their constituents will all be satisfied. They will have neglected no duty in their power ; and the world will then see the power and resources of three or four millions of virtuous men inhabiting a fine country, when contending for every thing which renders life worth supporting. The United States will then fix a medium, establish taxes for the payment of interest, acquire the confidence of her own capitalists, and borrow money at home ; and when this is done, they will find capitalists abroad willing enough to venture in their funds.

With ardent wishes for your health and success, I have the honor to be, &c.,

JOHN ADAMS.

TO EDMUND JENNINGS.

Amsterdam, April 26th, 1781.

Dear Sir,

Have you an inclination to favor me with your company to a certain place, where you seemed to think the presence of an American might be very useful to our country? I have it not in my power to make you any advantageous proffers, but perhaps it may be nearly equal to you to reside at Petersburg or Brussels. It may eventually be turned much to your benefit and honor.

I need not be more particular on this subject, or to request you to keep it to yourself. If my loose proposition meets your approbation, you will please to hasten on here, *without loss of time*, as I must go forward soon. If you wish to confer with me before you decide, come on immediately, but prepared, however, to proceed with me in case you think proper to agree to my proposals. Your expenses here and back again shall be paid, if you choose to return. I should be very happy to have your good company, and the assistance of your abilities.

I am, dear sir, your sincere friend, &c.,

FRANCIS DANA.

—o—

EDMUND JENNINGS TO FRANCIS DANA.

Brussels, May 3d, 1781.

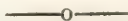
Dear Sir,

I had the honor of receiving your letters of the 26th and 29th ultimo, by the last post, containing a most obliging invitation to accompany you on some intended tour. It came upon me quite unexpected, and when I had arranged matters to go a very different course, and therefore embarrassed me much. However your very kind manner of holding up to me the most flattering object that I have or ought to have, the service of my country, determined me immediately to accept of your invitation; and I am now laboring hard to settle my little matters, here and elsewhere, that I may present myself to you at Amsterdam without loss of time. I am afraid, however, that I shall not be able to accomplish it before the middle of next week. Should you think you ought not to stay so

long, I beg that no consideration for me should prevent you from making that despatch which the public service may require.

I am, with the greatest respect, &c.,

EDMUND JENNINGS.



TO THE PRESIDENT OF CONGRESS.

Amsterdam, May 13th, 1781.

Sir,

I do myself the honor to transmit to your Excellency the duplicates of the papers which have been already sent from France. To these are added others, which will give to Congress precise information of every thing which has hitherto taken place relative to my late appointment that can be of any importance to them to know.

I shall not trouble you with observations upon any of them, except the letter of Dr. Franklin, and merely to correct one or two mistakes in his account of my conference with the Count de Vergennes. The Doctor says, "when I mentioned that I might appear to have *views of commerce, as a merchant*, or of curiosity as a traveller," &c., "that there was a gentleman in Petersburg with whom some *in America* had a correspondence, who had given hints of the utility," &c., "and that I could *perhaps by means of that gentleman* make acquaintance," &c. Persuaded as I was from the beginning, that it could not be for the interest of our country that I should be stopped short of my destination, and determined to endeavor to obviate every objection which might be made to my going on, I told the Count, when he seemed to be stating a difficulty arising from my public character, that I could appear as a private gentleman, travelling with a view of obtaining some knowledge of that country. I added, indeed, of its laws, customs, manners, *commerce*, manufactures, &c. The character of a merchant in those countries is not so respectable as to recommend itself to my choice, when I wished to form connexions with a different order of men. As I did not know of any gentleman at Petersburg, with whom some *in America* had a correspondence, I could never inform his Excellency of such a circumstance. The fact was quite otherwise, and that part of our conversation was introduced in the manner, and was exactly of the

tenor mentioned in my account of the conference. I have a personal knowledge of the gentleman I alluded to; he named the persons of rank, but I did not think it prudent to give their names to the Count. Perhaps I may have the honor to form an acquaintance with persons of some consideration in the country to which I am going, without laying myself under obligations to that gentleman.

I shall set out from hence in a few days on my journey, probably without consulting the Russian Ambassador at the Hague, as I am not yet more reconciled to this step than I was when it was first proposed to me. Mr. Adams, your Excellency will perceive, is decidedly against it. We have given our reasons. To these may be added, that to communicate my design of going into his country, and secreting from him at the same time my public character, if by such means I might obtain his advice and passport to proceed whenever my real character should be made known, he would, perhaps, consider it as a mean artifice and an imposition upon him, which he could not overlook, especially when the act of giving his advice or passport (though I have no expectation he would do either) might expose him, or his Court, or both, to all the consequences of having done so, with the full knowledge of my character; for declarations of ignorance in that respect would gain little credit. On the whole, I see no one good purpose that such a consultation as has been recommended to me would produce, but, on the contrary, I think I see many mischiefs which might come out of it.

Not thinking it prudent to go on farther unaccompanied by any person in whose hands, in case of my death or accident, your papers and affairs may be safely lodged, for the future advantage of Congress I have invited Mr. Edmund Jennings, a native American, and a gentleman whose character, I believe, may be known to some of the members of Congress, not only to accompany me on my journey but to remain with me there. I promise myself he will be able to afford me much essential assistance in the execution of my duty. I did not, however, take this step till I had communicated my design to Mr. Adams, who well knew Mr. Jennings, and found that it met his full approbation. I enclose (over and above the other papers) my letter to Mr. Jennings on this occasion, and his answer to me. I hope Congress will not disapprove of this measure. I have no other end in it than to promote the interests of our country, in obtaining the assistance of his abilities, and to guard against an event

which may take place, and I think common prudence forbids should be left wholly unprovided for.

I am, sir, with sentiments of the highest respect, &c.,

FRANCIS DANA.

—O—

TO THE PRESIDENT OF CONGRESS.

Amsterdam, May 20th, 1781.

Sir,

I do myself the honor to transmit to your Excellency certain papers, which are duplicates of such as have not been sent off from France. Your Excellency will receive the whole from hence in the South Carolina, commanded by Commodore Gillon, if she arrives safe. If not, the arrival of those from France, together with these by Captain Newman, for Newburyport, will supply them.

I shall not trouble your Excellency with any political matters from hence, because you will, doubtless, be fully informed about them by Mr. Adams. I shall hope for early information from our country of every important event, civil or military. I perceive, with much pleasure, that Congress are about adopting a solid system of finance, which will, doubtless, meet with the cordial support of all the States in the Union. When this system shall be established, I hope the Committee of Foreign Affairs, or some others to whom it may belong, will not fail to transmit some account of it, with any observations which may be necessary to explain it. In my separate department, where there is yet little or no good information touching the state of our country, it may be more necessary to pay a particular attention to this business.

I am, with the highest sentiments of respect and esteem, &c.,

FRANCIS DANA.

—O—

TO THE PRESIDENT OF CONGRESS.

Berlin, July 28th, 1781.

Sir,

I beg leave to acquaint your Excellency, that after having been detained at Amsterdam more than a month from the time I myself

was ready to enter upon my journey, in hopes of being accompanied by Mr. Jennings, I have been exceedingly disappointed, that that gentleman has thought himself under the necessity to decline going with me, on account of certain circumstances, which have since turned up in his own affairs.

I left Amsterdam on the 7th instant, (Mr. Adams having gone from thence for Paris on the 2d, upon a special call, of which he will, doubtless, give your Excellency the earliest notice,) and arrived in this city on the 25th, very much indisposed. I thought it expedient to take my route to this city, through Cologne, Frankfort, and Leipsic, though not the common or shortest one, to avoid passing through Hanover, lest my motions should have been watched in Holland, and notice given of my passing through Hanover, which might have brought on the seizure of my person and papers.

I have been unfortunate in having my carriage overthrown, and broken in pieces, between Leipsic and Berlin; happily, however, no other injury was sustained. I mention this circumstance, because it not only lays me under the necessity of purchasing another here, (for there is no travelling in these countries tolerably without a private carriage,) but it will detain me several days extraordinary. Though I am not quite well, I shall set off as soon as the carriage I have bought can be properly fitted for so long a journey, for no less than fifteen hundred of our miles are still before me, and the route far from being the most pleasant in Europe, yet I should go through it with much alacrity, if I had well grounded hopes that at the end I should find matters in the state we wish them to be.

As I have no faith, on the one hand, that the present mediation of the Emperor and Empress will issue in a pacification, general or partial, so, on the other, I as little expect that it will suddenly light up other wars. It is probable nothing of the latter kind can take place without this kingdom having a portion in it, and I have not yet been able to learn that there is the least expectation of the sort here, which most commonly goes before the act. I suppose, therefore, that the belligerent Powers will still continue belligerent, and that the mediators will hope for a more favorable opportunity to renew their mediation, and to make their particular advantage of the conflict. It seems to me it has been accepted by them, (America only excepted, to whom it has not been tendered,) rather out of respect, or to avoid giving offence to the mediators, or to seek an

advantage by discovering a ready disposition to hearken to every proposition having the least possible tendency to bring about a pacification.

Not one of the belligerent Powers, I believe, has an expectation or a sincere wish that a pacification will, or should be brought about at present. Spain wishes to possess herself of Gibraltar and of the Floridas; can she now hope that these will be ceded to her? Does she not flatter herself that, by the continuance of the war, Britain will become so enfeebled that they may be wrested from her? That, having once obtained them by conquest, she will easily retain them at a peace? France wishes to establish herself, in the place of Britain, the dominant Power of Europe; to this end she sees that it is necessary to snatch the trident from the hand of Britain, and to wield it herself. To effect this, *she knows well that America must be supported in her independence.* But is the time yet come when she can reasonably hope that both the mediators are prepared to make this last measure a proposition in their mediation, or Britain to acknowledge it?

Great Britain, in my opinion, wishes not to make a separate peace with America, that she may be able to exert her whole force against the House of Bourbon, as many of her popular leaders have frequently expressed themselves. This would be humbling herself in a point on which she is most obstinately fixed. Much sooner would she humble herself before her ancient enemies, provided she could flatter herself that, by doing this, she might make a separate peace with them, and be thereby at liberty to direct her whole force against the United States. In this case, she would cherish the hope that America, seeing herself forsaken by her new allies, and exposed singly to the whole power of Britain, might either be induced once more to submit to her domination, or would become an easy conquest, in part at least. So little wisdom, it is probable, experience has taught them. But is there the least hope for Britain that her ancient enemies are prepared to give up their new friends? Does not their own safety and importance in the political system absolutely depend upon supporting the independence of our country?

Of Holland or the United Provinces, I know not what to say. They can scarce be ranked among the belligerent Powers. The objects of Holland are peace, with that freedom to her commerce which she had a right to demand in virtue of treaties which Britain

has annulled; as also restitution of her conquered territories, and reparation of the destruction committed upon her navigation. Britain will not gratify Holland in any of these respects, unless she grants the aids claimed, and thereby plunges herself into the war against the House of Bourbon and America, which she can never do. Thus a partial pacification between them is not likely to take place.

America will not consent that the independence of her empire shall be brought into question, or that her rights and claims shall be litigated and adjusted in a Congress in which she is not properly represented by her Minister. Nevertheless, these things will, I am persuaded, be attempted, and I fear they will not meet with a very vigorous opposition from a quarter which we have a right to expect should stoutly oppose them.* Should a Congress be assembled in this half-matured state of things, is there any reasonable ground to hope that the professed design of it, a general pacification, can be accomplished? The determination of such bodies are, however, so frequently influenced by improper motives, that he who concludes that such a matter cannot be the result merely because it ought not to be, may find himself egregiously deceived in the end.

Thus I have attempted to give a sketch of my sentiments relative to the business of a mediation; but Congress will probably receive a much more particular and satisfactory account of it from a much more able hand, who has besides better information, and is now more immediately connected with it. I have said I should go through the fatigues of my journey with much alacrity, if I had well grounded hopes that at the end I should find matters in the state we wish them to be. I do not form any strong conclusion from the answer of the Empress to the United Provinces. What could they expect from her, when they had so shamefully neglected any preparations necessary even for their own defence, and seemed not to be half decided about making any. But the following memorial of the French Ambassador at her Court, taken in conjunction with the present

* This doubtless refers to France, but the suspicion was not well founded; for when a pacification was proposed through the mediation of Russia and Austria, the Court of France insisted on an express *preliminary condition* that the United States should be represented by their Ministers as an *independent Power* in the negotiations for peace. It was on this account alone that England refused to come into the plan of the mediation.

retirement of Count Panin, her Prime Minister, seems to denote an essential change in the system of the Court of St. Petersburg :

“ *St. Petersburg, 12th of June.*—Friday last, the Minister of the Court of Versailles had a conference with Count Ostermann, Vice Chancellor of the Empire, and delivered him a memorial of the following import :

“ ‘Representations upon the continual proceedings of the English against the commerce and navigation of the neutral nations, upon the little activity of these last to prevent these arbitrary proceedings, and to support the principles of their declarations made to the belligerent Powers, and the convention of neutrality, which has been concluded between them; upon the prejudice which will naturally result therefrom to all nations; and upon the desire which the King his master has, that it should be remedied by the vigorous coöperation of her Imperial Majesty; seeing that otherwise the said association of neutrality would be turned but to the benefit of the enemies of France, and that the King who has himself to the present time exactly conformed to the principles of the above mentioned declaration and convention of neutrality, will find himself, though with regret, under the indispensable necessity of changing in like manner the system which he has hitherto pursued respecting the commerce and navigation of neutrals, and to order and regulate that according to the conduct which the English themselves pursue, and which has been so patiently borne by the neutral nations; objects upon the subject-matter of which his Majesty has nevertheless thought that he ought to suspend his final resolution, until he should have concerted measures with her Imperial Majesty upon this business.’ ”

As Mr. Adams had left Amsterdam before this memorial appeared, I could not have the benefit of his judgment upon it, but I am so thoroughly acquainted with his political sentiments, that I believe I may say it would have made no alteration in his opinion touching the expediency of my going forward. It certainly has made none in mine on that point, though it has indeed given me some reason to apprehend, that at present the prospect of success is not so good as before. The experiment ought to be made, what are the real dispositions of that Court towards us, or what they would be if they were better and properly informed about us. Britain most certainly has

been industrious in concealing the real state of things from them, and there has not been any one there to counteract her. By this step we shall at least have the satisfaction of knowing whether the Empress wishes to take any friendly concern in our affairs; a point of knowledge perhaps not altogether unprofitable, though it should turn out contrary to our wishes, as it may prevent our amusing ourselves vainly with expectations of important assistance from Europe, and teach us one wholesome lesson, that America, under the blessing of God, must depend more upon her own exertions for the happy establishment of her great political interests.

I think it my duty to apprise Congress that I have no expectation of any essential support in my commission there, though I shall be careful to appear to be persuaded of the contrary, so long as I may do so without injuring our cause. I doubt whether it is natural for us to expect this support in any part of Europe, for when a nation thinks it will insure to itself a powerful influence over another by being its only friend and ally, why should it seek to procure it other allies, who, by their friendly offices and support, will have a share of that influence, and nearly in the same proportion as the new friends gain it, the old ones must lose it? Some may act upon such a principle. I may, in some future letter, give you more particular reasons why I am persuaded we ought not to expect any real support in our attempts to form new alliances, and why the Ministers of Congress in Europe should be encouraged in pursuing a more independent line of conduct. I am sensible this is a matter of much delicacy, and that appearances of the most perfect confidence should be kept up as long as possible. I am sensible, also, that the man who thinks thus, and who wishes to act in conformity to his own sentiments, exposes himself to secret and malicious attacks, which may frequently wound, if not destroy his moral and political reputation, if he has any; but it becomes our duty to think freely, and to communicate freely on some matters, and I hope we may do so *safely*; otherwise, there is an end of all beneficial correspondence, and expectations of rendering any essential services to our country.

I crave your Excellency's pardon for the length of this letter, and beg leave to subscribe myself, with the highest respect and most perfect esteem, &c.,

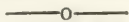
FRANCIS DANA.

TO THE MARQUIS DE VERAC, FRENCH MINISTER AT ST. PETERSBURGH.

St. Petersburg, August 30th, 1781.

Mr. DANA begs leave to acquaint his Excellency the Marquis de Verac, that he has arrived in town, and proposes to do himself the honor of paying his respectful compliments to his Excellency, as the Minister of the Sovereign in alliance with his country, at any hour which shall be most agreeable to him.

Mr. Dana is silent at present with regard to himself, presuming that his Excellency has been already informed by his Excellency the Count de Vergennes of his intended journey to this place, and of some circumstances which have opened the nature of his business.

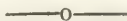


THE MARQUIS DE VERAC TO FRANCIS DANA.

Translation.

Thursday, August 30th, 1781.

The Marquis de VERAC has the honor to present his compliments to Mr. Dana, and is very happy to hear of his arrival, which he had been prepared to expect by the Count de Vergennes; he will be flattered to make his acquaintance, and to assure him of his eagerness to render him any service in his power in this country.



TO THE MARQUIS DE VERAC, AMBASSADOR FROM FRANCE.

St. Petersburg, September 1st, 1781.*

Sir,

I have the honor to acquaint your Excellency that the Congress of the United States of America have been pleased to charge me with a commission as their Minister at the Court of St. Petersburg, and that they have also particularly instructed me to make a commu-

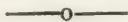
* Almost all Mr. Dana's letters from Russia were dated in the *Old Style*. In preparing them for the press, the dates have been altered to *New Style*.

nication of the general object of my mission to his Most Christian Majesty's Minister at the same Court. This last measure was doubtless the effect of that full confidence they have, not only in his Majesty and his Ministers in general, but in your Excellency in an especial manner, and is strongly expressive of their earnest wish and persuasion, that their negociations at this Court may, and will be conducted in perfect harmony with those of his Majesty, and that they rest assured that his benevolence and friendship towards the United States and the general course of humanity, are sufficient inducements to draw forth the most powerful aid and support of his Majesty in the business of this mission; the general object of which is to engage her Imperial Majesty to favor and support the sovereignty and independence of the United States of America, and to lay a foundation for a good understanding and friendly intercourse between the subjects of her Imperial Majesty and the citizens of the United States, to the mutual advantage of both nations, and consistent with the treaties subsisting between his Most Christain Majesty and the United States.

Thus a foundation is laid in this quarter the more strongly to cement the interests and affections of our two countries. And I feel myself inexpressibly happy that it has fallen to my lot to be connected in this business with a person so distinguished as well for his benevolence of heart as for the eminence of his abilities; and I flatter myself your Excellency will at all times be ready to afford me every assistance in your power which I may need in the execution of my mission.

I have the honor to be, with the highest respect, &c.,

FRANCIS DANA.



THE MARQUIS DE VERAC TO FRANCIS DANA.

Translation.

St. Petersburg, September 2d, 1781.

Sir,

I have received the letter which you did me the honor to write to me yesterday, and I cannot too strongly express to you how sensible I am of the mark of confidence which you have shown me

in communicating the views proposed by the Congress of the United States of America when they decided to send you to the Court of Russia as their Minister Plenipotentiary to the Empress. You know, sir, the deep interest which the King takes in the cause of the United States, and you need not doubt that I shall be anxious to render you here all the services in my power, and which the circumstances of place and persons will permit.

At this moment I cannot better reciprocate your confidence than by making you acquainted with the general dispositions of her Imperial Majesty in regard to the Powers at war. From the commencement of hostilities, this Sovereign has made it a point of honor to hold the balance perfectly equal between the different parties, taking particular care not to manifest any kind of preference by carefully avoiding every advance which could indicate the slightest partiality in favor of either of the belligerent Powers to the prejudice of the others. It is this equitable and perfectly impartial conduct which has determined the Courts of the House of Bourbon, as well as that of London and the States-General, to accept the offers of this Princess, when she proposed to terminate their differences by a mediation conjointly with that of the Emperor; and you are certainly not ignorant, sir, that her first plan of pacification has been sent to all the Courts that are interested. I confide to you, also, that the United States of America are to take a part in it, and that these august mediators desire that your Deputies may be admitted to the Congress which shall regulate the pretensions of the belligerent Powers, that they may there be able to debate and discuss their own interests. Thus you have in few words the state of things at the Court of Russia, and you will readily comprehend that her Imperial Majesty, not wishing to dissatisfy the Court of London more than those of Versailles and Madrid, abstains with the greatest possible care from showing any particular inclination for the American cause.

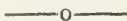
Under these circumstances, sir, it is very doubtful whether the Cabinet of her Imperial Majesty will consent to recognize the Minister of a Power which has not as yet, in their eyes, a political existence, and expose themselves to the complaints which the Court of London will not fail to make against an indication of favor so public. I ought, therefore, to desire you to reflect much before you display the character with which you are clothed, or make advances

which will be more injurious than beneficial to the success of your views. It is not now as the Minister of the King that I have the honor to speak, but as a man whom the residence of a year in this place has furnished with local knowledge which you cannot have acquired. If, however, you overcome this difficulty, if you commence a negotiation with the Russian Minister, and will do me the honor to make me acquainted with it, you need not doubt that I shall strive most cheerfully to second you in every thing which shall concern the common interest. Be persuaded, moreover, that on the occasions when I shall deem it my duty to remain inactive, it will be because I am well satisfied that any advance on my part would be injurious to one, without any advantage to the other.

I can add nothing to the sincerity of my wishes for the success of your mission, or to the distinguished sentiments with which I have the honor to be, &c.,

THE MARQUIS DE VERAC.

P. S. I ought to inform you that the Count Panin and the Count d'Ostermann do not understand English; this will render your communications with these Ministers difficult.



TO THE MARQUIS DE VERAC.

St. Petersburg, September 4th, 1781.

Sir,

I have received the letter which your Excellency did me the honor to write to me yesterday in answer to mine of the day before, communicating to you the general object of my mission.

It is impossible for me to express the obligations I feel myself under to your Excellency for letting yourself so readily, and with so much frankness, into the state of affairs at this Court, so far as I could have any concern in them, and for your confidential communication respecting the proposition for the admission of the American Minister into the proposed Congress; a proposition founded in eternal justice, and which cannot fail to reflect immortal glory upon the august mediators. Although I had before been acquainted with this, and also that the Court of London had rejected the mediation on that very account, yet I deemed it so very productive an event,

and of so much importance to the interests of my country, that I had proposed, after being honored with your answer to my first, to write to your Excellency upon that subject, and also to request your sentiments and opinions upon the actual state of things at this Court, but your goodness has anticipated my design.

You will not impute it to a proper want of respect for your sentiments and opinions if I presume to raise some doubts, and to make some reflections upon them. For whether they come from the Marquis de Verac or from the Minister of France, they make an equal impression upon my mind, and it is at present a matter of indifference to me. The wisdom of her Imperial Majesty in making it, as you express yourself, "from the moment the first hostilities commenced, a point of honor to hold the balance perfectly equal between the different parties, taking particular care not to manifest any kind of preference by carefully avoiding every advance which could indicate the slightest partiality in favor of either of the belligerent Powers to the prejudice of the others," cannot be too much admired. But it would be paying an ill compliment to that penetration for which her Majesty is so justly celebrated, to suppose that she did not also, from that very moment, clearly discover the importance of the American revolution, at least to all the maritime Powers of Europe, and that it was the only basis upon which could be erected her favorite and just system of equal freedom and commerce and navigation to all nations.

She might hope to obtain this great end and to acquire the glory of mediating between the belligerent Powers at one and the same time. Upon this supposition that exact neutrality she has hitherto held was both wise and necessary. It was necessary, above all, that she should abstain, with the greatest care, from manifesting a particular inclination for the cause of America. It seems her system of politics must have undergone an essential change, and that it has now become absolutely impossible for her Imperial Majesty any longer to conceal her particular inclination for the cause of America, since she, in conjunction with the Emperor, has proposed that the Minister of the United States should be admitted into the Congress for settling the pretensions of the belligerent Powers, and there to debate himself and discuss their proper interests. This is to rank America (as in fact she stands) among the belligerent Powers, and, in a manner, to acknowledge her independence. It is making a

much larger stride towards it, I confess, than I expected would have been made in the first plan of pacification. That they must come to it at last, I have been long firmly persuaded.

I must take the liberty to differ in opinion from your Excellency when you say, in the present circumstances, it is very doubtful whether the Ministry of her Imperial Majesty will acknowledge a Minister from the United States of America, more especially when I reflect upon the principal reasons you assign for this opinion. I can no longer consider myself as "the Minister of a Power which has not, as yet, in her eyes a political existence." It is difficult to conceive upon what ground her Imperial Majesty could propose that a Minister, appointed for the express purpose by the United States of America in Congress assembled, should be admitted into a congress to be held for settling the pretensions of the belligerent Powers, if she did not admit the political existence of that body, and consider it as a complete sovereign. The fact is undeniably true, and no fallacy of our enemies can invalidate it, that the United States of America have been, ever since the 4th of July, 1776, a free, sovereign, and independent body-politic. Your illustrious Sovereign made this declaration in the face of the whole world more than three years since; and I flatter myself the time has now come when other Sovereigns are prepared to make the same, if properly invited to do it. Neither can I imagine that her Imperial Majesty will now give herself much concern about any groundless complaints which the Court of London may make against such a public mark of respect for my Sovereign as my open reception in the character of its Minister would be. I cannot but consider her Imperial Majesty's line of conduct in this respect decided by the above proposition, which she made as mediator between the belligerent Powers. No one could more deeply wound the Court of London. She must have contemplated as probable, at least, what I think might have been almost certainly predicted, namely, the rejection of her mediation by the Court of London, on account of that very proposition, and have resolved upon her measures in consequence of it. She could never have committed the honor and dignity of her Imperial Crown to so improbable a contingency as the Court of London accepting her mediation upon the terms upon which it was tendered.

Having seen Britain in vain attempting, for more than six years, the reduction of the United States, without being able in all that

time to conquer one of them ; finding them to continue inflexibly firm through all their variety of fortune in the war, and still in full possession of their independence ; seeing several of the principal Powers of Europe long involved in the contest ; having observed between them the strictest neutrality to this moment ; and having at last freely tendered her good offices to bring about a general pacification upon the most reasonable and just grounds and principles, which the Court of London has thought proper to reject, still keeping up their absurd claims over the United States ; it would seem, after all this, that there now remained but one step for her Imperial Majesty to take, consistent with her dignity, (for I presume the mediators cannot withdraw their proposition,) which is to acknowledge the independence of America as the most probable means, if not the only one, now left to restore peace to both Europe and America, and effectually to establish freedom of commerce and navigation to all nations.

If the Sovereigns of Europe do not see this to be the proper moment for putting the finishing stroke to so glorious a work, when is it to be expected the critical moment will arrive ? How long are they likely to wait before they presume to form political connexions with, and enjoy the profitable commerce of, the New World ? Will they stay till the pride and arrogance of Britain shall be so far humbled as voluntarily to give up her chimerical claims over the United States, and to invite them into this political connexion ?

These are the sentiments and opinions of a man who feels the want of experience in the business of Courts, and of that local information, both of which your Excellency possesses in so eminent a degree. It is, therefore, with much diffidence I venture to differ from yours. I have endeavored to follow that example of frankness you have set me in your communication ; and I hope I have treated your sentiments and opinions with all that decency and respect which every thing which may come from you demands of me. If I am wrong, I trust you will have the goodness to set me right. I have already reflected upon this subject, but I shall most certainly attend to your friendly caution, and reflect again upon it before I open the character with which I am clothed, and be careful to avoid engaging myself in any measure which may become more prejudicial than advantageous to the success of my views. On the other hand, when I see no difficulty in adopting the measure I shall presently

mention, it becomes my indispensable duty to adopt it, because it appears to me to be betraying the honor and dignity of the United States to seclude myself in a hotel, without making one effort to step forth into political life; besides, I think I owe this also to her Imperial Majesty, who, it is possible, may have matured her political plan to the utmost gratification of my wishes. If otherwise, I presume I shall, nevertheless, be treated in such a manner as will reflect no dishonor upon the sovereign authority of the United States, or upon myself individually considered. If the experiment is not made, the United States can never be satisfied that in a juncture apparently so favorable it would not have succeeded, and their Minister would find it extremely difficult to justify before them a state of absolute inaction.

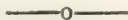
At present I should be puzzled for reasons to vindicate such a conduct, while they seem to crowd in upon me in support of a contrary one. The United States trust to the justice of their cause and the rectitude of their intentions to open the way for them into the affections of the sovereigns of Europe. They have no sinister, no dishonorable propositions to make to any of them, but such only as they are persuaded will essentially promote the great interests and well being of all. The measure I propose to take is to make a confidential communication of my public character to the proper Minister of her Majesty, and of the general object of my mission, and perhaps to accompany those with a short memorial to her Majesty. I shall ask and conform to his advice, if he is pleased to give it to me, as to the proper time of presenting the memorial, or taking any other step in the business of my mission; and ask him in the mean time to assure me of the protection of her Majesty. I shall acquaint him that I have not yet assumed any public character, or made it known to any person but to your Excellency, (in obedience to my instructions,) that I am invested with one; and that I shall not do either without his approbation.

As I have done in this instance, so your Excellency may be persuaded I shall in future make you fully acquainted with any negotiation I may enter upon with the Russian Ministry, because I rely upon the support you have been pleased to assure to me in every thing I may undertake which may concern the common interests of our two countries, and which you should not think injurious to the one without being beneficial to the other. I must

crave your Excellency's pardon for the length of this letter, and hope you will impute that to the desire I have to impart to you fully my sentiments and intentions touching the subject of it.

I have the honor to be, with sentiments of the highest respect, &c.,

FRANCIS DANA.



THE MARQUIS DE VERAC TO FRANCIS DANA.

Translation.

St. Petersburg, September 12th, 1781.

Sir,

In the letter which I had the honor to write to you on the 2d instant, I made only a passing mention of the article of the plan of pacification proposed by the Courts of Vienna and Petersburg, which stipulates for the admission of deputies from the United States at the Congress. Persuaded, as you appear to have been, that the American Minister would be admitted in the same manner as if their public character were recognised at the moment of their arrival, not only by the belligerent Powers, but also by the mediating Powers, your reasoning is perfectly just when you say that one cannot admit and recognise the Minister of a Power without recognising the independence and political existence of that Power; and hence you conclude it is very possible that the Court of Petersburg may be in a disposition to recognise voluntarily the character with which you are clothed. This reasoning is equally an evidence of the justice of your views and of your knowledge in the matter of public right. I alone have been wrong not to enter more into detail concerning the article which you have erected into a principle. But in truth I refrained from this, because I supposed you were already perfectly acquainted with it. I cannot better repair my omission than to transcribe the article, as it has been sent to the Courts of Versailles, Madrid, and London. "There shall be a treaty at Vienna, under the mutual direction of the two Imperial Courts, concerning all the objects of the reëstablishment of peace," &c. "And there shall, at the same time, be a treaty between Great Britain and the *American Colonies* for the reëstablishment of peace in America, *but without the intervention of any other belligerent parties, not even that of the*

*two Imperial Courts, unless their mediation shall be formally asked and granted for this object.”**

By this the mediating Courts intend that your deputies shall treat simply with the English Ministers, as they have already treated with them in America in the year 1778; that the result of their negotiations shall make known to the other Powers upon what footing they ought to be regarded; and that their public character will be acknowledged without difficulty, from the moment the English themselves interpose no opposition. This plan has been conceived for the purpose of conciliating the strongly opposing pretensions. Have the goodness, sir, to observe that I do not say that I approve this scheme. I merely say that the august mediators have adopted it, in rendering to you an account of the reasons by which they are guided. It is, therefore, clear that their design is to avoid committing themselves by acknowledging the independence of the United States, till England herself shall have taken the lead.

You perceive, sir, that nothing is more conformable to my wishes than to see Russia acknowledge the independence of the United States. If it depended on me to draw from her this acknowledgment, you would immediately have grounds to be perfectly contented with my efforts. In a word, you cannot doubt that the Minister of his Most Christian Majesty in Russia takes a warm interest in your cause. But the more I desire your success, the more I feel myself obliged to forewarn you of the difficulties which you have to surmount; and I should betray my duty if I were voluntarily to leave you in ignorance on so important a point. Invested as you are with a public character on the part of a Power whose rights and perfect independence it is my duty to recognise, it does not pertain to me to guide your advances; but the alliance of this same Power with the King my master invites me to acquaint you with all the knowledge which I have acquired respecting this country that can be useful to you. It is with the greatest pleasure, sir, that I fulfil this duty, in repeating to you what I had the honor to say to you in my first letter, that when you shall have succeeded in surmounting the difficulties which you may meet in causing your public character to be recognised at this Court, you will find me entirely disposed to

* See the articles of pacification at large, as far as they relate to America, in John Adams's Correspondence, Vol. III., p. 432.

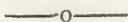
second you in every thing which shall regard the common interest of our countries, when it shall be probable that my intervention will be agreeable to the Ministers of her Imperial Majesty.

You are too enlightened, sir, to need my counsels, and much less my approbation. I shall confine myself, therefore, to communicating such facts as shall come to my knowledge, and which may interest you, leaving to your intelligence and discernment the task of combining them and drawing from them the plan of conduct which you shall think most suitable, being well persuaded, that whatever course you may pursue will be for the best, and most conformable to your interests. I ought to confide to you, therefore, that we are daily expecting the answers of France and of Spain concerning the plan of pacification. When these arrive, we shall know what is intended as to the article relating to the deputies of Congress, and shall see how these observations will be received at St. Petersburg. It is for you to judge, sir, whether you think this circumstance ought to withhold you or not from making known here your political character.

I have the honor to be, &c.,

THE MARQUIS DE VERAC.

P. S. I ask pardon for the delay of this answer. It has been owing to the embarrassment of translating your letter; the Marquis de la Coste, my son-in-law, being the only person in my family who can read a little English.



TO THE MARQUIS DE VERAC.

St. Petersburg, September 13th, 1781.

Sir,

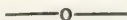
On my return home last evening I found myself honored with your Excellency's letter of yesterday. No apology could be necessary for the delay of it. It is not to be expected that M. le Marquis de la Coste should make a task of translating my letters, or suffer them to interfere with his engagements or avocations. It is with extreme repugnance I write to your Excellency, because of the trouble I know that it must give him; and nothing but an opinion of the necessity of doing it has given your Excellency, or the Marquis, any trouble of that sort.

It may not be amiss to acquaint your Excellency, that just before my departure from Holland, by an unforeseen accident, I was unexpectedly deprived of the assistance of a gentleman, who both speaks and writes the French language well, and was to have accompanied me hither. Your Excellency may be assured I shall very readily wait some time before I enter upon the measure mentioned in my last, in hopes of being favored with the answers of the Courts of Versailles and Madrid to the plan of pacification, as soon after you may receive them, as shall be convenient to you. It is my earnest wish to form my conduct upon the fullest informations I can possibly obtain, and to avoid any step which may have the least tendency rather to injure than to promote the interests of either country.

Your Excellency will be pleased to accept my warmest thanks for your attention to the business of my mission, your wishes for the success of it, as well as for the assurances of your personal zeal, to promote the general interests of the United States.

I have the honor to be, with sentiments of the highest respect, &c.,

FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

St. Petersburg, September 15th, 1781.

Sir,

In my letter from Berlin I did myself the honor to give your Excellency an account of my route as far as that city. A duplicate of that letter will accompany this. I was detained there nine days, the first part of which time was lost by my illness, and the rest in waiting for my carriage. I set off from thence the 2d of August, and arrived here, travelling day and night, on the 27th, (*New Style*,) having stopped in this route (some times to recruit a little, and some times to make the reparations to my carriage, necessary in so long a journey) at the following places, viz: Dantzic, Konigsberg, Memel, Riga, and Narva, all of which are ports of consideration, and lay in my way.

I made during my short stay in them as full inquiry into the nature of their commerce as circumstances would admit of. I do not find that the exports from any of them, Riga excepted, are calculated for

our markets, or that we can derive any advantage from them till we engage in circuitous voyages and become their carriers. The great article of Riga is cordage of all sorts, which I am told is the best in all these countries. They export considerable quantities of hemp likewise, to say nothing of articles similar to our own, but this article can perhaps be better purchased at St. Petersburg, than any where else. I expect to receive shortly a minute account of all the exports and imports of Riga, with their prices current, &c. Being no merchant, my account of these things it is to be expected will be defective, but this being made a part of my duty, I shall endeavor to execute it in the best manner I am able.

It is to be observed, that the Dantzickers, the Prussians, and the Russians are improving the present opportunity, which the Dutch war affords them of increasing their own navigation, with the utmost industry; and the great rise of freights enables them to do it with much advantage. What effect this may have upon the Sovereigns of the two last countries, to slacken their pace towards the acknowledgment of the independence of ours, which would lead to a speedy peace, I cannot say. The subjects of the Emperor are reaping the same advantages from the war.

An opportunity by water from hence to Amsterdam now presents itself, and this being the safest way, I shall send my despatches under cover to the care of Mr. Adams, and shall desire him to break them up and read them before he forwards them for America, as the best means of making him fully acquainted with all that has yet taken place here, especially with the sentiments of the French Minister, which appear to me to deserve our particular attention. Though I am no better satisfied with the reasons given in support of his opinion in his second letter, than I was with those in his first, yet I thought it not prudent to press him any further with my opposition to them, and that it was quite sufficient to give him to understand that I still intended to adopt the measure mentioned in my second letter. He possibly may have other reasons for his opinions, which he chooses to keep to himself, but surely such cannot serve as rules by which to regulate my conduct while I remain ignorant of them, nor can I imagine it to be my duty, or the expectation of Congress, that I should blindly fall into the sentiments of any man, especially when I think this backwardness to give proper support to our cause at the Courts of Europe, may be accounted for on other principles.

That it does actually exist, I can now no longer doubt. However, Congress will make up their own judgment upon this point from the letters of the Minister himself, and from other facts, with which they are much better acquainted than I can be.

I confess that, had the proposition of the mediators been laid before me to form my opinion upon, unaccompanied with the strictures of the French Minister, I should have laid my finger upon three words only in it, viz., *en même tems*, and considered the others, to which he meant to draw my particular attention by underscoring them, as merely colorable terms, and a specimen of that finesse from which the politics of Europe can never be free. I should, therefore, have drawn from it a conclusion very different from that of the French Minister, viz: "*It is therefore clear, that their design is to avoid compromitting themselves, by recognising the independence of the United States, till England herself shall have done it;*" for if, as he would have me to understand, the mediators do in fact still consider the United States as British Colonies, and that neither the belligerent Powers, or themselves, ought to interfere in settling the war between them and Great Britain, without being invited by both parties, how comes it to pass, that, as mediators between the belligerent Powers, meaning not to comprehend America under that predicament, they should go on to annex, in the nature of condition of their mediation, that "*there shall be at the same time a treaty between Great Britain and the American Colonies, respecting the reëstablishment of peace in America;*" thereby prescribing to a sovereign State *the time* when it shall enter upon the settlement of a dispute, existing between the Sovereign of that State and a part of his subjects, in which they mean not to intermeddle; and, according to the French Minister, even the manner of doing it? For, says he, "*the mediating Courts intend thereby, that your Deputies shall treat simply with the English Ministers, in the same manner as they have already treated in America with the Commissioners from Great Britain in the year 1778.*" I could have set him right in matter of fact here, but it would have answered no good purpose.

This measure, I am told, has been proposed "to conciliate opposing pretensions," and "that the result of their negociations will make known to the other Powers on what footing they ought to be

regarded, and that their public character will be acknowledged without difficulty *from the moment that the English interpose no opposition.*" If such were the designs of the mediators, why not leave Great Britain to compose her internal troubles in her own time, and in her own way, and proceed to the great business of composing those of the nations of Europe? How are we to account for the Court of London rejecting the mediation, if they conceived the proposition in that very inoffensive light which he supposes it to be meant, and if it was so clear from it that the mediators would not interfere in our particular negotiation unless invited to do it, and were determined never to acknowledge the independence of the United States until Great Britain herself had done it, or at least till the moment in which she shall cease to oppose it? Could a more favorable occasion be presented to Great Britain for negotiation? My present opinion upon this matter is, that the mediators do in fact consider the United States as an independent sovereign Power; that upon that principle they wished to extinguish the flames of war in both countries at the same time; that they do not flatter themselves they can restore peace to Europe during the continuance of the war in America, or that the United States will treat with Britain upon any other ground than that of an independent Power; that, to bring about a general pacification in a manner the least offensive to any of the belligerent Powers of Europe, particularly Britain, they have framed their propositions in the terms in which it is conceived; and, although they declare in it that the other belligerent Powers, or even themselves, ought not to interfere in our particular negotiations, yet it seems to be their intention that the negotiation between the European Powers should proceed but with equal pace with our particular one.

I cannot but think the mediators expected the Court of London would reject this first plan of mediation, on account of the proposition respecting America, (as I am told by a public Minister here, who ought to be well informed upon the point, they certainly have done,) although it is worded in a manner as little offensive to their feelings as the nature of things would admit of; and that, having tried this measure, the mediators will next proceed to another, in which their sentiments in favor of the United States will be less ambiguous.

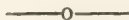
After all, the French Minister may be perfectly right touching the dispositions and resolutions of the mediating Powers towards the United States, but I think his conviction must arise from other facts and principles than those he has chosen to expose to me. I feel myself, however, on that supposition, at no great loss to determine what ought to be my own line of conduct. I think it ought to be exactly the same in both cases, so far as respects the proposed communication of my public character to this Court. If her Imperial Majesty has really resolved upon such a strange system of politics, the sooner Congress obtain the best evidence of it the better, on many accounts, and this is to be had only by making this experiment. They will, among other things, then consider whether it is worth while for the United States to be at the expense of supporting a Minister at a Court which is resolved to defer the acknowledgment of their independence till Great Britain shall have done it herself, or at least to the moment she shall cease to oppose it. At this period, if it should ever arrive, the United States, I suppose, would feel themselves as much indebted to the Sovereign who should offer to acknowledge their independence, as I should to the French Minister here, who has told me, "that, when you shall have succeeded in surmounting the difficulties which you may meet in causing your public character to be recognised at this Court, you will find me entirely disposed to second you in everything which shall regard the common interest of our countries," for any assistance he may then give me.

It is evident from hence, that I am not likely to receive from him the least assistance in the business of my mission. I must proceed in it, therefore, by myself, or be totally inactive. I thought it advisable to assure the French Minister that I would wait some time for the answers of the Courts of Versailles and Madrid, lest he might think I treated his opinions with disrespect. In doing this I think no injury will happen to our interests, for besides the possibility that some important information may be obtained from them, and the effect they may have at this Court, I am told Count Panin will shortly return to Court, and that he has the most favorable sentiments of the United States of any of her Imperial Majesty's Ministers. Should this information be just, an advantage is to be expected by the delay. Congress will doubtless consider the

difficulty of my situation, standing alone upon new ground, and will make every allowance for it I ought in reason to expect.*

I am, with the highest respect and most perfect esteem, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, October 1st, 1781.

Sir,

In the project of a treaty which France proposes to Russia, there is an article to this effect :

“When the subjects of France shall carry in their own vessels French goods into Russia, and shall exchange them for Russian goods, in such cases there shall be a drawback of the duties, both of importation and exportation, paid by the subjects of France.”

France, to induce Russia to grant this, says, “France will want

* The French Government seem to have considered the proposition of the mediating Powers, by which England and the United States were to treat separately, as impracticable and inadmissible. In their answer they say :

“His Majesty thinks it his duty to say, that he has allies with whom he has inviolable engagements ; that he should betray them in abandoning the American cause ; and that it would be abandoning this cause for him to negotiate a separate peace. The high mediators have seen the impossibility of such an attempt, since they have themselves perceived the impossibility of proceeding at an equal pace with the negotiation of the King and that of the United States. But even admitting that the King could separate his affairs from those of America, that he could consent to pursue only his personal interest, and leave to the Americans the task of coming to an accommodation with their ancient metropolis, what would be the result of this conduct ? It would evidently be an illusory peace, a mere creation of the brain. Indeed, if (as there is the strongest evidence) the Americans persist in refusing to return to obedience to the British Crown, the war will continue between England and her ancient Colonies, and the King will then be obliged, as he is now, to assist them.” *Flassan*, Vol. VII, p. 319.

Again, the French Government say in their answer :

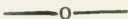
“The two Imperial Courts cannot flatter themselves with the hopes of bringing their mediation to a happy issue, if they do not prevent the subterfuges and false interpretations which either of the belligerent Powers may avail themselves of to explain, according to their views, the preliminary propositions, which will certainly happen if they do not previously ascertain the sense of the expressions which relate to America.

“The Court of London will elude as much, and as long as she possibly can, the

great quantities of Russian goods, which, after the war, France will not be obliged to take of Russia, for France can have the like from America, and though perhaps not so cheap, yet it will be the interest of France, if Russia should not grant this, to pay America fifteen or twenty per cent. more for the same articles; for this would enable America to take off more French goods, and to pay France for them." Hemp is particularly mentioned.

I pray you to keep this to yourself, and I have the honor to be, &c.,

FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

St. Petersburg, October 15th, 1781.

Sir,

Since my letter to your Excellency of September 15th, enclosing a duplicate of mine from Berlin, and copies of all the enclosed

direct or indirect acknowledgment of the independence of the United States, and will avail herself of the terms that are used in speaking of them, to maintain that she is not obliged to treat with her ancient Colonies as with a free and independent nation. From whence it will follow, that when the mediation is in force, and they shall be about to enter upon the negociation, they will dispute the character in which the American Plenipotentiary shall be received. The King of England will consider him as his subject, while Congress will demand that he shall be received as the representative of a free people, by means whereof the mediation will be stopped at the first outset.

"To prevent this inconvenience, it should seem that previous to any other measure, the character of the American agent ought to be determined in the most precise and positive manner, and Congress should be invited to confide its interests to the mediation. This invitation is so much the more interesting, as the negociation relative to America should go hand in hand with that of the Courts of Madrid and Versailles, and by consequence the negociations, although separate, should commence at the same time. But who will invite the Congress to treat with England? The King (of France) cannot, since the first article excludes him from the negociation. This task, then, can only be executed by the mediators themselves. All that the King can do, and that he will do with zeal and fidelity, is to invite the Americans to the peace, and to facilitate it by every means which they believe compatible with their essential interests. But that the King may take this step with safety and the hopes of success, and with the certainty of not rendering himself suspected by the Americans, it is necessary that he should first know the determination of the mediators upon the observations now made to them, and that this determination should be such as to secure to the United States their political existence."

papers, the French Minister has sent me a copy of all the propositions of the mediators, and of the answer of the Court of Versailles. I have the satisfaction to think the inferences I then drew from the first propositions only, are well supported by the tenor of the second, in which they expressly say that our particular peace shall not be signed but conjointly, and at the same time with that of the Powers whose interests shall have been treated of by the mediating Powers; that the pacifications, notwithstanding they may be treated separately, shall not be concluded the one without the other; that care shall be taken constantly to inform the mediators of the progress, and of the state of our particular treaty, to the end the mediation may be able to govern itself in the progress of that which is entrusted to them, according to the state of our particular negotiation, and that both of the pacifications, although they shall have been separately concluded, shall be solemnly guarantied by the mediators, and all other neutral Powers whose guarantee the belligerent Powers shall judge proper to ask.

What force are we now to allow to the terms in the first proposition "the American Colonies," and "without the intervention of any of the other belligerent Powers, or even that of the two Imperial Courts, unless their mediation has been formally demanded and granted upon this object?" Is it clear from hence that the design of the mediators is to avoid exposing themselves by acknowledging the independence of the United States before Great Britain has done this herself? Do not the propositions speak this language to Britain. You may make such a peace with America, not only as she chooses to make with you, but as the other belligerent Powers and we shall choose you should make with her; and remember you are to have no peace in Europe, unless you give peace to America; and when this peace is once made, we will take care you shall not break it. We shall soon see by the replies which the mediators will give to the belligerent Powers, particularly to the Court of Versailles, whether they will recede in favor of Britain from their first plan of pacification, or go on in their next a step further in the spirit of their former system. It seems that, consistent with their own dignity, they can neither retreat or remain on the same ground. The independence of the United States was certainly the basis of the first plan of pacification, and I have no great fears that it will be departed from.

I have lately been told by a person, who certainly knew the truth of the matter, in so confident a manner that I have no room to doubt it, that it was a secret part of the original plan of the armed neutrality, as soon as it should be completed, that the neutral confederated Powers should propose a general pacification between the belligerent Powers, which it was supposed could not be brought about otherwise than by leaving America free and independent, and to enforce this proposition by their joint armaments; and that so long ago as in May, 1780, if Holland had done her part, affairs were then in all other quarters in a proper train to have carried the whole plan into execution; but unfortunately for her, British influence was too great there, and instead of doing the business at once, they entered upon the parade of sending a brace of Ambassadors to this Court, not with a view to finish, but at least to delay it. Holland, in fact, did not accede to the marine convention, which was first entered into by Russia and Denmark on the 9th of July, 1780, and next by Sweden on the 21st of the same month, until the 20th of November following, and it was not signed on their part till the 5th of last January. All this time her navy was neglected, and the mischiefs she has suffered are not the only ones consequent upon her tardiness and inactivity. For Britain has been thereby enabled for a while to detach Denmark from the confederation, or at least to make that Court indifferent in the business of it. It was but a short time after it had adopted the plan before it made a breach upon it by including in a treaty with Britain hemp, &c., among contraband articles. From that time the spirit of the confederation seems to have languished. The Danish Minister, most interested in it, has been superseded. Count Panin, who in this Court, it is said, was its principal support, retired. It is true, he has lately returned to Court, but has not assumed his former office of Chief Minister in the Department of Foreign Affairs, though he is still of the Privy Council. My information about the share he has in those affairs is very different; by some I am told he has little or no influence in them, by others, that he possesses a considerable portion of his former influence, and my informants on both parts ought to, and perhaps do, know the truth of the matter. On one side every thing is veiled in profound mystery, and nothing is let out but what presents a discouraging prospect.

It has not such an effect upon my mind at present, and I am

strongly encouraged to hope that the confederation will become properly invigorated by the accession of the King of Prussia. The first open part he took in it, was the issuing his ordinance of the 30th of last April. Soon after this, (the 8th of May,) he entered into a similar convention with the Empress. About this time (the 23d of May) the propositions for a general pacification were made, and on the 20th of August, both the Prussian and Russian Ministers at the Hague notified to the States-General the accession of his Prussian Majesty to the confederation. Laying these things together, and presuming as I do, that the confederated Powers can have no well-grounded hope of reaping any lasting benefit from their confederation for the maintenance of the liberty of their commerce and of their navigation, but in the establishment of the independence of the United States, one might conclude with confidence that all would soon go well between us, if it was confidently to be concluded that all Courts are governed by the real interests of their countries, even where that is clearly understood, or act upon a permanent system. All now depends upon the stability of the Empress. If she should persevere in the noble line she has marked out, of Sweden and of Russia there is no danger, and it is probable Denmark will not stand out. The Emperor has ceased his opposition to the confederation. The step is now short for him to favor and support it. I believe it may be depended upon that he has already agreed to accede to it.

If I were to hazard an opinion touching the manner in which our particular business will issue here, it is that the success of it will depend upon the neutral Powers consolidating themselves in their confederation; that even after this should take place, our independence will not be acknowledged by this Court before all the neutral confederated Powers shall have agreed upon this measure, and are fully prepared to adopt it, and that even Holland waits for this event, although her case is now different from theirs, by being actually at war with our enemy.

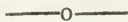
The ground on which the secret part of the original plan of the armed neutrality abovementioned was formed, was an apprehension of the Powers engaged in it, that by the loss of America, and by the continuance of the war the maritime force of Britain might be too much reduced to preserve the balance of power upon the ocean; but as she has not abated of her haughtiness, her injustice, and out-

rageous violations of the rights of the neutral maritime Powers, and still opposes herself to the establishment of a system calculated to secure those rights and to vindicate the general law of nations, thereby manifesting that the measure of her power is to prescribe her rule of right, they have become tolerably well reconciled to the idea of seeing her more effectually weakened and humbled.

On the whole, I am not anxious about the manner of *thinking* of the neutral Powers, touching the great objects which concern our fundamental interests. We have nothing to apprehend, I believe, but the baneful influence of British gold, which can serve but to defer for awhile, however, the event they most dread, the open acknowledgment of our independence by this and the other neutral Powers. I expect to be informed of the answer of this Court to that of Versailles respecting the pacification as soon as it shall be communicated to the French Minister. It has already been delayed longer than I was given to understand it would be, which is owing, probably, to the necessity of consultations with the Court of Vienna. I shall wait but a few days for it before I make the communication of my mission to this Court, unless some matter which I do not foresee should render it expedient to delay doing it still longer.

I am, with the highest respect, and most perfect esteem, &c.,

FRANCIS DANA.



ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, October 22d, 1781.

Sir,

Congress having lately thought it advisable that their correspondence with foreign Courts and their Ministers abroad should pass through the hands of their Secretary for Foreign Affairs, I enclose the act by which they did me the honor to appoint me to that office. In this character, sir, I have the pleasure of communicating to you the important account of two signal victories which have lately been obtained over the enemy in this quarter, the one by General Greene, which has been followed by the reestablishment of the governments of South Carolina and Georgia, in which States, though the enemy hold one or two posts, yet they have no command

of the country. The other, still more signal, by the allied arms of France and America over Lord Cornwallis, in Virginia. By the latter, near seven thousand men, including seamen, fell into our hands; and about one hundred vessels, above fifty of them square rigged.

You will not fail to make the best use of this intelligence, which must fix our independence, not only beyond all doubt, but even beyond all controversy. I should have mentioned to you that besides the troops and seamen abovementioned, the enemy lost, during the siege of Yorktown, including those that were taken, upwards of two thousand negroes. The naval force of France in these seas under the command of the Count de Grasse, amounts to thirty-four sail-of-the-line—that of the British to twenty-four. Both fleets have lately sailed, the one from New York, the other from the Chesapeake. We daily expect to hear of their meeting, and promise ourselves a second victory, since every advantage is on the side of the French. Should they think it more advisable to go to the West Indies, the islands must fall an easy prey to them, as the whole British fleet is at present on this coast; nor will it be in their power to follow immediately, as Sir Henry Clinton, with the best part of the troops from New York, are on board the fleet which, on the very day that Cornwallis surrendered, left New York for his relief. These must be brought back and relanded, which will be a work of some time.

It is of importance to you to know that the spirit of opposition to the independence of this country, which was languishing when you left it, has been growing weaker ever since, and may now be said to be quite extinct. To this, the settled form that our governments have assumed, the success of our arms, and, above all, the shocking barbarity of the British, have greatly contributed.

As this letter goes by an uncertain conveyance, and as, indeed, I have hardly yet entered upon my office, having only been qualified a few days since, I do not think it prudent to proceed to any minute discussions. I can only tell you that the people here entertain the highest respect for the Court you are at. They consider the plan of the armed neutrality as the best proof of an enlarged and generous policy, and look upon its execution as a charter of enfranchisement from the ambition of princes granted by the wisdom of the

Empress to the trade of the world. The sense of Congress on this subject I enclose you in an abstract from their minutes of October 5th, 1780.*

What a pity it would be if a more confined policy should lessen the glory or defeat the purposes she has so liberally formed. You will do me the favor to direct in future your public letters to me. I wish them to be as numerous and as minute as possible, particularly on the subject of such negociations as may be in agitation for a general peace, and for a partial one between Britain and the United Provinces.

I forgot, under the head of intelligence, to inform you that the British had, in September last, made one effort to relieve Cornwallis with their fleet, consisting of nineteen sail-of-the-line, before the Count de Barras, from Rhode Island, had made his junction with the Count de Grasse. They were defeated with the loss of the *Terrible*, a seventy-four, burnt, and two frigates taken, and compelled to return to New York, whence, as I before mentioned, having been reinforced, they have again sailed.

I am, with the greatest esteem, &c.,

ROBERT R. LIVINGSTON.

* "*In Congress, October 5th, 1780.*—On the report of a committee to whom was referred a motion of Mr. Adams relative to certain propositions of the Empress of Russia respecting the rights of neutral nations, Congress passed the following act :

" Her Imperial Majesty of all the Russias, attentive to the freedom of commerce, and the rights of nations, in her declaration to the belligerent and neutral Powers, having proposed regulations founded upon principles of justice, equity, and moderation, of which their Most Christian and Catholic Majesties, and most of the neutral maritime Powers of Europe, have declared their approbation;

" Congress, willing to testify their regard to the rights of commerce and their respect for the Sovereign who has proposed, and the Powers who have approved, the said regulation;

" *Resolved*, That the Board of Admiralty prepare and report instructions for the commanders of armed vessels commissioned by the United States, conformable to the principles contained in the declaration of the Empress of all the Russias, on the rights of neutral vessels.

" That the Ministers Plenipotentiary from the United States, if invited thereto, be, and hereby are, respectively empowered to accede to such regulations, conformable to the spirit of the said declaration, as may be agreed upon by the Congress expected to assemble in pursuance of the invitation of her Imperial Majesty.

" *Ordered*, That copies of the above resolution be transmitted to the respective Ministers of the United States at foreign Courts, and to the honorable the Minister Plenipotentiary of France."

P. S. I will be obliged to you for sending me, for the use of this office, by the first safe opportunity, a Russian grammar and dictionary, in English, if possible ; if not, in French. If the latter, the grammar of Charpentier and the dictionary of Woltchhoff, would be preferable. Both parts of the dictionary are to be procured, if possible, but particularly the one which begins with the Russian. If any thing like a Court calendar is published at St. Petersburg, in Russian, German, or French, you will oblige me by transmitting to me two copies of it, if you choose with notes of your own upon it.

—o—

TO WILLIAM ELLERY.

St. Petersburg, January 17th, 1782.

Sir,

The Empress you know formerly proposed to mediate between Britain and Holland, which was declined by the former, as she could not enter upon a partial mediation, for the reasons she then assigned ; since which time the joint mediation has been tendered by the two Imperial Courts, between all the belligerent Powers, which has issued unsuccessfully. Finally, her Imperial Majesty and the Kings of Sweden and Denmark, jointly tendered their mediation between Britain and Holland. Britain has declined to accept that of the Kings in conjunction with the Empress, but has agreed to accept her sole mediation. This is at present on foot. A Russian Minister has very lately gone, or will soon set off for Holland, to join Prince Gallitzen in this business, which I prognosticate will issue as fruitlessly as the general mediation has done. There is no peace to be had in Europe separate from that of our country, which already too sensibly affects the European systems to be overlooked or disregarded by those who have the adjustment of them.

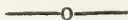
Notwithstanding the material change which our Revolution has wrought in their old systems, which is felt somehow by all the politicians of Europe, yet they seem some of them not to be sufficiently acquainted with the real nature of it. Hence that strange fluctuation or indecision in some cabinets ; at least this is the best apology I can make for it. Sweden it appears to me acts as consistent a part as any Power. She maintains her rights as a neutral nation, by constantly convoying her trade, and is besides wisely

reaping the benefits of the American commerce, by silently and gradually admitting our vessels into her ports, and permitting our countrymen to purchase there every thing they want, and to depart when and where they please. If this country would adopt the same system in every respect, they would soon see the happiest effects from it. At present, Sweden is making considerable profits, by being the depot of Russian manufactures for our use.

I wish this country had a more commercial turn. We should then soon see a direct communication between the two countries opened and established, to the great benefit of both. But a free trade between them will meet with other obstacles. I am apprehensive not one of the maritime Powers of Europe will aid us in our attempts to effect this, but that on the contrary, Britain, Holland, Denmark, and Sweden, will all at least secretly be opposing us. They well know this country has no navigation of its own, comparatively speaking; if, therefore, by various suggestions, they can excite a jealousy respecting the commerce of our country rivalling this in all the markets of Europe, a sentiment however groundless, which I am persuaded has made a considerable impression here, they will flatter themselves they shall each share a proportion of the benefits of an intervening commerce. Nothing, you will readily perceive, is to be expected here, while the business of mediation is kept up.

I am, &c.,

FRANCIS DANA.



ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, March 2d, 1782.

Dear Sir,

I find myself extremely embarrassed in writing to you, on account of my ignorance of the place of your present residence; and the want of a cypher. You forgot when you left Holland, if you have yet left it, for this is a matter of which we have not been informed, to send me your direction; so that there are an infinite number of chances against a letter's reaching you. This must account for my not entering into a minute consideration of your letters, or of our own affairs. The subject of your conference with the * is

* A bank in the original, but probably the Count de Vergennes is alluded to.

too delicate to be discussed here. The event has, ere this, shown you whether his sentiments were well founded ; though we can form no judgment from this circumstance, as we have not been favored with a single line from you since May, 1781.

We presume, that you must frequently have written, as the ports of Holland, Sweden, and France, afforded you many opportunities, of which you have undoubtedly availed yourself, but we have unfortunately not received the advantage we could wish from your attention. I must therefore beg the favor of you to increase the number of your letters, and to send at least four copies of each to the different ports. There are indeed many things which it would be imprudent to trust to the common post. There are also many other matters which may safely be sent by it. If you have letters always ready, safe opportunities will occasionally offer for the first, and those which relate to general politics should be written weekly, and sent to France and Holland.

You will continue, I presume, to appear only in a private character, as it would give Congress great pain to see you assume any other without an absolute certainty that you would be received and acknowledged. The United States, fired with the prospect of their future glory, would blush to think that the history of any nation might represent them as humble suppliants for their favor. The least slight from a Sovereign, whose life will be read with applause by posterity, whose situation places her above those little shifting politics by which inferior Princes govern, who has magnanimity enough to feel and declare herself independent of every other tie but that which wisdom and justice impose, might be urged with weight against us, and give force to the calumnies of our enemies. All, therefore, sir, that your situation will admit of, is to endeavor to give just ideas of this country, of its resources, of its future commerce, its justice and moderation, its sincere desire for peace, but at the same time of its firm determination to forego any present advantage, and to brave any danger, rather than purchase it upon terms unworthy of the struggles they have made, or which shall render their liberties insecure. This, which is an important truth, you will be able to prove by showing the circumstances under which we entered into the war, and the difficulties we struggled with, when without arms, without military stores, without discipline, without government, without commerce, we bid defiance to one of the most powerful

nations in the world, and resisted alone, for three years, forty thousand disciplined troops, attended by a considerable navy, and amply supplied with every necessary to enable them to use their force with advantage. Contrast this with our present situation. Allied to a powerful nation, in possession of governments with which the people are pleased ; having an army disciplined, well appointed, and flushed with victory ; an extensive and active commerce ; provisions cheaper than in time of peace ; credit reviving again, and specie introduced into circulation.

It is also important to show the unanimity of this country, in opposition to what the Court of Great Britain has desired to inculcate. I have touched upon this in my last letter, and have endeavored to show it from the conduct which she herself holds towards this country. It will never be doubted by those who reflect on these circumstances, and the ease with which every order of Government is carried into effect, and the few partizans the British have found when they marched out into the country. But though we wish these matters to be understood, yet I am far from recommending it to you to make a pompous display of them. Your own judgment will direct you on this subject. Your having been long in a public character, will naturally lead those who wish to be informed to inquire the state of our affairs from you. You may avail yourself of the opportunities this will afford you to speak of them with that temper and moderation that cannot fail to make an impression, particularly when these facts appear rather to be drawn from you by your desire to answer the inquiry, than urged by a wish to make converts. In the first case, the hearer is disposed to believe, because you lay him under obligations ; in the second, he is cautious, lest he should be led away by your prejudices. Should these inquiries be made by people who are able to serve you, be particularly attentive to render your information agreeable by enlivening it with some little interesting incidents, which this war has furnished in abundance, and which cannot but give pleasure to a people who are too remote to have heard them.

These may possibly be the means, when repeated, of exciting the curiosity of the Sovereign, and procure for you the honor of conversing with her in the character of a private gentleman. This incident will be best improved by preparing yourself to answer all her inquiries with respect to this country, without touching on the

politics of Europe, with which she is infinitely better acquainted than we can be. The first settlement of the Colonies ; their population, agriculture, commerce, and revenues ; their past and present Governments ; the progress of the arts and sciences ; the steps which led to this revolution, and the present state of the war, will probably be the objects of her inquiry. These you will answer with candor, even though you should thereby expose some of our defects or imperfections. For you will never cease to bear in mind, that the celebrated Sovereign of the country you are in is too well informed to be deceived, could our politics ever stoop so low as to make the attempt.

Since my last, conveying an account of Cornwallis's capture, nothing very important has happened here, unless it be the evacuation of Wilmington and Beaufort, by which means all the enemy's posts in the southern States are reduced to Charleston and Savannah, and the trade of that extensive country is again opened. The few friends to slavery, in the States the British marched over, are abandoned to our mercy. For the rest, the enemy keep close within their lines, and our troops are cantoned about the country. In the meanwhile the British Islands and commerce are sacrificed to the possession of three posts, which cost them millions to retain on this continent. I give you no account of what is doing in the West Indies, presuming that you will have the earliest and best intelligence on this subject from Paris. It may be of some importance to you to learn that our plan for calling in the old paper and emitting new was not attended with all the success that was expected. The old paper was indeed redeemed, but the new beginning to depreciate, most of the States thought it prudent to take it in by taxation.

The only money now in general circulation is specie and notes from the American banks, which have the same credit as silver. Our taxes are collected in these, and by removing the restrictions on our commerce, together with the small loans we have made in Europe, we find not the least want of a circulating medium ; and though there will probably be some failure in the amount of the taxes from some of the States which are most impoverished, yet a considerable proportion of the eight millions of dollars in specie which have been imposed this year will be paid, exclusive of the duty of five per cent. premium on our imports, which is designed as a perpetual fund for the payment of the money we borrow. Every exertion is making

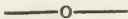
here for the most vigorous and active campaign, and we have the greatest reason to believe it will be decisive.

I enclose an ordinance relative to captures, which will show the respect paid by these States to the armed neutrality. It will be evident to you that this is not a mere empty compliment, since nothing can be more injurious to us than conforming to principles which our enemy despises, and is permitted to despise with impunity, particularly on this coast, where Britain is left at liberty to consider us not as independent States, but as revolted Colonies; and to make prize of any vessel whatsoever bound to our ports, though both ship and cargo should be in the strictest sense neutral. But interested considerations have less weight with us than those immutable laws of justice which make the basis of these regulations; and these States cannot but hope that the neutral Powers will sooner or later dare to execute what they have so wisely projected.

Now, sir, let me again repeat to you my request to write regularly to me, at least once in every week, since the high opinion we have formed of the Empress makes all her actions important to us. When no other political object presents itself, give us the best account you can collect of the history, manners, revolutions, manufactures, arts, revenues, civil and military establishments of Russia, with the names and characters of those who hold the great offices, or share the favor of the Sovereign. If a change has taken place (as we are informed) in the Russian administration, be pleased to acquaint yourself and me, when you can safely do it, with the causes of it, and with the characters of the present administration. Send me by the first safe hand a cypher, if an opportunity should offer before I send one to you.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON, SECRETARY OF FOREIGN AFFAIRS.

St. Petersburg, March 5th, 1782.

Sir,

I had the honor of the triplicate of your letter of the 22d of last October, on the 20th instant. It was forwarded to me by that amiable nobleman, the Marquis de la Fayette. The original or duplicate has not yet come to hand.

I am much pleased that Congress have thought fit to create the office of Secretary for Foreign Affairs, and to direct their foreign Ministers to correspond through that department. This will, doubtless, be the means of keeping them properly informed about the affairs of our country. I am happy to learn also that the choice of Congress has fallen upon a gentleman not less distinguished for his abilities and integrity than for the early and decided part he took, and has steadily pursued from the commencement of our revolution.

We received the important news of the surrender of Lord Cornwallis and his army, on the 13th of December. Soon after came the account of General Greene's action, which you mention also. The first seemed to have settled every one's mind upon the real state of desperation of the British affairs within the United States; the other, though very important to us in its consequences, made apparently but little impression, owing, perhaps, to two causes, that it followed so nearly after so capital and brilliant an event, and that it was scarce possible to add to the conviction which the former carried along with it. From this state of things it may be imagined that the way is open to us to make our advances. The conclusion, I believe, would be too hasty. For the time does not so much depend upon the real sentiments which her Imperial Majesty and her Ministers may entertain of the stability of our independence as upon other circumstances. To explain myself. Her Majesty has, doubtless, a wish to add to her other glories that of mediating a peace between the great Powers who are now at war. For although her first attempt to mediate between Britain and Holland was rejected by the former, and her second, in conjunction with the Emperor, between Britain and the other belligerent Powers may be said to be at a full stand, yet, as you are informed long before this time, she set on foot a third, in conjunction with the Kings of Sweden and Denmark, between Britain and Holland, which Britain rejected so far as respects that of the two Kings accepting of the *sole* mediation of her Imperial Majesty. This is still in agitation. A Minister before this time has arrived from this country in Holland to assist Prince Gallitzen in it. But, from every thing I can learn, there is not the least probability of its succeeding. I am told it is not even expected by any of her Majesty's Ministers.

However this in fact may be, so long as her Majesty continues to tender her mediation, partial or general, so long it appears to me

prudent for us to refrain from making any open advances. For however strongly convinced her Majesty may be that our independence is now laid on a foundation which Britain can never destroy or shake, however clearly she may see that the freedom of the commerce and of the navigation of Europe absolutely depend upon the severance of America from the British Empire, and however beneficial she may suppose a direct and free commerce with America would be to her Empire, yet she could not consistently with the character of a mediator form any political connexions with the United States, or manifest an attachment to their interests. She would, therefore, feel herself under a necessity to reject any propositions we have to make to her, if made under such circumstances. And though we could be assured that this rejection would be made with as much delicacy or as much respect to the United States as the case would admit of, yet is it not advisable to delay making any open advances till this business of mediation should be entirely done away, and not unnecessarily expose ourselves to a repulse; which, it is probable, would in the end rather retard than advance our business?

By these and similar sentiments I have been hitherto induced not to make the communication spoken of in my former despatches from hence. I hope my conduct in this respect will be approved by Congress. Notwithstanding what I have said above, if I really thought with my correspondent that her Imperial Majesty had adopted the system mentioned in his letter to me of the 12th of September, viz., "not to acknowledge the independence of the United States till Britain herself had done it," I should soon bring the business to a conclusion, and take my leave of this Court, not thinking it conformable to the views of Congress to support a Minister at a Court which should adopt and be likely to persevere in such a system.

You seem desirous of my sentiments upon the state of affairs, particularly relative to the mediation, whether general or partial. I have given them to you on that head very briefly above, and I can only add that, from the best intelligence I can obtain, we shall not hear much more of the mediation till another campaign is closed; that things will remain nearly in their present state in Europe through this year, unless Holland, by the prevalence of the patriotic party, should be able to make some exertion, and come to a decision

about the much talked of alliances with the enemies of Britain. Whether this will probably take place, you will be better informed from that quarter than from me.

The acts of accession and acceptance on the part of the Emperor and Empress, relative to the neutral confederations, were exchanged here a few days after the date of my last letter to the President. A want of connexion is observable among the Powers who have adopted this system; they are divided into three parties, the Empress standing at the head of each. First, Russia, Denmark, Sweden, and Holland; next Russia and Prussia; and lastly Russia, with the Emperor. These parties are without connexion one with the other, unless it should be supposed that the Empress, being a party in each of them, connects the whole; but this must necessarily be a feeble connexion, as it imposes no duties and confers no rights which are in common to all the Powers which have adopted the system. The principles of it, however, have acquired some support by these last accessions, particularly by that of Russia, and it seems highly probable that they will not fail of being established as the clear rights of neutral nations at the close of the present war. During the continuance of it, unless Britain should be so imprudent as to commit further infractions upon this system, we may not see any thing more arise out of these associations. For if the subjects of the confederated Powers at present in a state of neutrality meet with no further obstruction in their commerce or navigation, their end is answered. Neither Russia, Sweden, nor Denmark will give themselves much concern to vindicate the right of Holland to participate in the benefits of the system, according to their demands, especially the two last, who derive very great advantages from the present situation of the Dutch. Holland has let her opportunity slip by unimproved, and she must patiently wait the return of a *general* peace for the restoration of her rights, whether founded in her treaties with Britain or in this new system.

You will excuse my referring you to my former despatches, because it would be imprudent to send copies of them with this by the post. Duplicates have already been forwarded. If I had a private conveyance, I should be more particular under the head of mediation and neutral confederation, as well as enter into an explanation of some parts of my former despatches from hence. I have not yet received any account of my letters sent from France;

you will doubtless pay an attention to such parts of them as may require it. If you will direct your letters for me to the care of Mr. Adams, whenever they may come on in that course, he will be careful to forward them to me in a way which we have settled for our correspondence. As it will be more convenient, I shall request Mr. Adams to send you along with this the reply which the Imperial Courts made to the answers of the belligerent Powers to their propositions for a general pacification, and also the final answer of the Court of Versailles. Although you may probably receive these through another channel, yet perhaps that is not a good reason why we should fail to furnish you with them.

I am, sir, with much esteem, &c.,

FRANCIS DANA.

P. S. I hope to have an opportunity to forward next week, to the care of Mr. Adams, two or three Court Almanacs for you in French. The other books I will procure for you as soon as possible, but as they will be cumbersome, it is not probable I shall find any other conveyance from hence than by water for them. I shall at all times be very happy to have an opportunity to execute any of your commands.



TO ROBERT R. LIVINGSTON.

St. Petersburg, March 30th, 1782.

Sir,

I did myself the honor on the 5th instant to acknowledge the receipt of the triplicate of your letter to me of the 22d of October last; the original has since come to hand. I will forward a duplicate of the above by this opportunity.

Every thing seems to confirm the opinion I have expressed relative to the partial mediation between Britain and Holland, but more especially the resolution of Friesland respecting the United States. The failure of that mediation is now universally considered here as beyond a doubt. And nothing, I believe, but the very critical condition of Britain, will revive the idea of a general mediation sooner than I have estimated in my last. She has now lost Minorca, and in a manner, too, that astonishes every one here, and with it the remains of her commerce in the Mediterranean sea. St. Christopher, as it is said, is in imminent danger, and the formidable force

gone against Jamaica, may make her reflect seriously upon her forlorn state, and perhaps drive her to the humiliating necessity of reviving a mediation she has rejected with so much haughtiness. If so, it seems evident from the decided nature of the final answer of the Court of Versailles, as well as from that of Madrid to the Imperial Courts, that to do this with any effect, the mediators must advance to the line marked out, they must invite the Ministers of the United States to the general Congress.

The Minister of Spain, who went to Vienna to assist at the Congress, has received orders to repair to this Court (where they have now only a *Chargé d'Affaires*) as a resident Minister. He is expected here the next month.

There has lately been a lively sensation in this quarter, occasioned by a publication in the "*Courier du Bas Rhin*," where it was positively asserted that a secret treaty had been concluded between her Imperial Majesty and the Emperor relative to a partition of the Turkish territories in Europe. The affair, it is said, has been denied. However the fact may be, there seems to be some suspicions remaining that a scheme is forming, if not of the nature mentioned, yet at least relative to a full enjoyment of a commerce upon the Black sea and into the Mediterranean. This is an object which has more or less engrossed the attention of this Court from the days of Peter the Great, and is one of no small consequence to the interests of this empire. The state of things brought on by the peace of Kainardgi (1774) between Russia and Turkey, has opened the way for the completion of this design. By this treaty Russia obtained a right to a free commerce in the Turkish seas, and for that end three ports there, viz., Kinbourn, Kersch, and Yenikale. Further, the Khan of the Crimea (who is no longer liable to be deposed by the Grand Sultan) is very friendly disposed towards her Imperial Majesty, and would be capable of affording essential services towards the execution of such a plan. He has lately sent an Ambassador to this Court, who has been most graciously received. The Porte has been constantly opposed to this commercial plan. Hence the difficulties which have taken place respecting the admission of a Russian Consul, which the firmness of her Majesty has at last overcome. The whole seems yet to be on too precarious a foundation. Perhaps solidly to establish this system of commerce, another war may be deemed necessary, particularly for

the purposes of gaining better ports and to give greater security to the navigation which may be carried on from them, by removing the Turks to a more convenient distance, and establishing a marine in those seas capable of affording it a complete protection; without this, all that vast commercial project lies at the mercy of the Turks.

I have touched upon this subject, that from the great interest this empire has in such a plan from the extensive views of its Sovereign, and from the present apparently favorable state of circumstances, you may be enabled to form a better opinion of the probability or improbability of the supposed connexion. But upon the supposition of its truth, will our enemies draw any essential benefits from it? Or will it in any way injure our interests? are questions which may arise out of it, and bring it home to us. It will happen, I think, if it happens at all, too late for the former, but as to the latter, it may procrastinate our views, as it will form the principal object of her Majesty's attention, and the affairs on this side of Europe will become but secondary concerns. I shall add nothing further at present on this subject, but shall from time to time endeavor to give you some account of the prevailing system, and the leading principles of politics in this Court.

In pursuance of one branch of my duty, I have during my residence here made a particular inquiry into the nature of the commerce of this country. By the list of exports for the last year, which will accompany this, may be seen the commodities of all kinds which it furnishes, as well as the share which the several nations of Europe have taken in this commerce for the same time; and by the list of vessels passing and repassing the Sound, the proportion of their navigation which has been concerned in it. When it is considered that the Dutch used to send about six hundred vessels into the Baltic annually, there can remain no doubt but that the neutral maritime Powers are very well contented with the Dutch war; and that they are deeply interested in the principles of the neutral confederation, though a crooked and corrupt system of politics may prevent some of them from defending their rights with proper vigor.

The great demands we have for the principal articles of this commerce, such as hemp, cordage, sail-cloth, their linen manufactures of all sorts, especially for household use, is well known, as

we have been heretofore supplied with these through Great Britain. But perhaps the commodities suitable for this market may not be so well understood among us. The principal ones of our country are rice and indigo ; tobacco is a prohibited article. Grain is not wanted, except rice. From this state is it not evident if we would carry on this commerce to any considerable extent, as we shall certainly find it proper to do, we must do it by circuitous voyages in a great measure ? For this purpose the productions of the West Indies and of the continent of America south of us, such as sugar, coffee, (rum would not answer,) all sorts of dyeing woods, cochineal, &c., are proper. This may point out the importance of obtaining a right to cut those woods on the Spanish shores in the Bay.

The wines, brandies, fruits, and manufactures of France form a great branch of the trade to this country. This has heretofore been chiefly carried on by the Dutch ; but may we not come in for a share of it ? Many of our commodities are adapted to the markets of France. Might not our vessels intended for this circuitous voyage arrive in France towards the end of the winter, charged with our produce, and take in a cargo there, so as to be ready to enter the Baltic early in May. The ports of France, frequented by the Dutch in this carrying trade, are Havre, Nantes, Bordeaux, Cette, and Marseilles. Havre has an advantage over all the others, from its proximity to the Baltic, as well as its situation below the Seine, by means of which all the manufactures of Paris, Rouen, &c., are easily conveyed thither. The cargoes from Havre for Russia consist in fine cloths, linens of Rouen, sugar, coffee, indigo, preserved fruits of all kinds, and of all the manufactures of Paris. Wines are from Bordeaux. The exports from Nantes are nearly the same as those from Havre ; Cette and Marseilles may be too distant for us. The greatest navigation between France and this country is from Havre. I have been so particular upon Havre, because I suppose Congress would choose to have *one* free port (in virtue of our treaty with France) in or near the Channel, and I have heard Dunkirk talked of ; but is it not worth consideration, whether a port at the very extremity of the empire can be of equal advantage to that of Havre, which may answer as well for a direct commerce as for this circuitous one, if it should be thought proper to adopt it ? By our treaty, I am sensible we have a right to demand but *one* free port in France, and that for the purpose of carrying there our own commodities *only*.

If we should be held rigidly to this, the appointment of a free port will be of great importance to our interests. If we could obtain more, perhaps Havre, Bordeaux, and Marseilles, might be the most advantageous of any three, to furnish us at the best rate with the productions and manufactures of the several parts of the kingdom.

I express myself with much diffidence on this subject, because I know that a thousand matters ought to be taken into consideration, many of which are known only to those who have made commerce the business of their lives, in order to form a solid judgment upon it. But if any thing I have said may serve as hints, which may be improved by others to the general benefit of our country, my purpose will be completely answered.

I have the honor to be, with much esteem and respect, &c.,

FRANCIS DANA.

—o—

TO JOHN ADAMS.

St. Petersburg, April 23d, 1782.

Dear Sir,

I see with infinite satisfaction the progress our affairs have made in Holland within a short time, and that you will soon be able to put the finishing hand to your business. No one will more sincerely rejoice in the honor you will merit and acquire by it than I shall. That nation, after much internal struggling, seems at last to have adopted an almost universal sentiment upon the propriety, or rather necessity of forming an intimate commercial connexion with us, and this without loss of time. They have been doubtless justly alarmed by the late important change in the councils and system of Great Britain, and have wisely resolved not to suffer her to get the start of them, by adjusting her commercial connexions with America before they have concluded their treaty with us. They well know how much is risked by a further delay. Hence their present zeal to acknowledge our independence.

I wish others saw their interest to do the same thing in as clear a light, and did not longer think of the glory of mediating a peace, which in the end they may miss of; for it is evident to every one

who will attentively consider the late measures of Britain, that she means to settle her peace with America, without the participation of any mediators; well knowing the great danger which her most important commercial interests will be exposed to if they pass through such a medium. Her aim will be to exclude the other maritime Powers, as far as possible, from the benefits of our commerce. To effect this, she will make great sacrifices in some respects. You know what I allude to. The critical moment for the maritime Powers of Europe has already arrived. They may never, or at least for a long time to come, again see so fair an occasion to promote their essential interests, if they suffer this moment to slip by without fixing their connexions with America. It must be apparent to them all (the neutral Powers I mean) that no just objections can now be made to a measure of this sort, since the British themselves have felt the necessity of publicly proclaiming to the world their utter inability to obtain the great object of their war, the subjugation of the United States, or of any one of them; and have even made the attempt to do this criminal. With what face can they now pretend to claim any dominion over that country, or to require the neutral Powers to forbear the acknowledgment of our independence, till they themselves shall have acknowledged it? Or in other words, to rest idle spectators, as I have before said, till Britain has adjusted all her commercial interests with America, as far as possible to their exclusion.

Do you ask whether this will probably be the case here? I cannot say that it will not. For besides that I have some reason to suppose this Government not yet properly informed, I may say, of the immense interest it has at stake relative to the commerce of our country. I know the British will not fail constantly to hold up to her Imperial Majesty the glory of mediating a peace between the great belligerent Powers, while they are secretly carrying on a negotiation as above with the United States. Should you ask me if it is not practicable to give those in government just ideas upon the nature of the commerce of the two countries, I must say I have taken such measures to this end as the peculiar state of things will admit of. I dare not expose the dignity of the United States by making any official advances. They may be rejected. I am not satisfied that they would not be. The cry of mediation I know

would open upon me. It is necessary, therefore, first to do away all errors upon this subject of commerce, to establish the great mutual interests the two nations have in a close and intimate connexion with each other, and to point out the danger this interest is exposed to, in the present critical state of affairs, by delay. When this is done (and I flatter myself the task is very easy if the door is open to me) I shall have nothing to apprehend from mere sounds or words. Her Majesty would most certainly pursue the great interests of her empire, and not suffer herself to be diverted from that pursuit by any dazzling prospects of glory which the British or any others might hold out. She has too much wisdom not to change her system when affairs have changed their face, and not to improve every favorable occasion which the course of events may present to her, for the benefit of her empire.

I agree with you that glory and interest are both united in our case; that her Majesty could not, by any line of conduct, more effectually promote both than by stepping forth at this moment and acknowledging the independence of the United States, and forming a commercial treaty with them; that there is nothing to fear from any quarter; that the example of so illustrious a Sovereign would probably be followed by the other neutral maritime Powers, and would infallibly restore peace and tranquillity to both worlds; and that all Europe would partake equally in the benefits of our commerce, or at least enjoy an equal freedom in it. But if, instead of this, America cannot obtain a hearing, which is all she wants to insure her success, wherever national counsels are influenced by national interests, and her Majesty should persevere in her system of mediation, notwithstanding the change in affairs, is not the consequence plain? America will make the best bargain in her power with Britain, and she can now clearly make an advantageous one. When this is done, her Majesty and the other neutral Powers will certainly see, though too late, the importance of the present moment to the interests of their respective empires. I will only add, may they be wise in season: may they follow the example which Holland is setting them, and which she would have set them at this moment had she been in profound peace with Britain, even at the hazard of a war, little as she delights in it, rather than suffer herself to be foreclosed in her great commercial schemes.

I have the honor to be, &c.,

FRANCIS DANA.

ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, May 10th, 1782.

Dear Sir,

In my letter of the 2d of March last, I explained fully to you the intentions of Congress in sending you to Petersburg; and the reasons that influenced them to wish that you would by no means display your public character till you were fully convinced that it was the wish of the Court to acknowledge it. And I saw with pleasure, in your letter of the 31st of March, 1781, to the Count de Vergennes, that you had determined agreeably to the spirit and meaning of your instructions, to appear only as a private citizen of the United States until the result of your inquiries should point out a ready and honorable reception. The opinion of the Minister of his Most Christian Majesty, as well as of Dr. Franklin, whom you were directed to consult, was so decided upon that point that though you might not have thought it sufficient to justify delaying your journey, yet it certainly rendered it proper to take the best precautions to conceal your public character under some other that would have been unsuspected; and this for reasons that carried the greatest weight with them.

The Empress having projected the armed neutrality, she naturally wished it to have the appearance of a general regulation, and not of an attempt to serve one of the belligerent Powers at the expense of the other. The strictest impartiality could alone give a dignity to her measures, or crown them with success. She further wished to be the means of reëstablishing peace, and was perhaps influenced by the laudable ambition of being at the same time the great legislator and arbiter of Europe. At this critical moment it could hardly be expected that she would publicly entertain a Minister from the United States. For though the Powers at war have many collateral objects, yet it is well known that American independence is the great question in controversy; and though a decision in favor of it might be worthy of the magnanimity of the Empress, yet it would certainly militate against her objects, and afford Great Britain an apology for considering the armed neutrality as a partial regulation, and for rejecting the mediation of a Power whom they would charge with having decided the very point in controversy. A secret agent, if his character was declared to the Russian Minister, would in a

less degree have the same effects, and reduce them to the necessity of embarrassing themselves by dissimulation, or permitting us to entertain unfavorable sentiments of their impartiality by directing you to withdraw.

Your eager desire to render essential services to your country had in some measure biased your judgment, and led you to see this matter in a different light from that in which it would have appeared to you if your patriotism had permitted you coolly to weigh and consider circumstances. It appears by your letters of the 28th of July, the 15th of September, and 15th of October last, which have been received and read in Congress, that you entertain serious thoughts of making an immediate display of your powers to the Russian Ministry, notwithstanding the cautions given you by the Count de Vergennes, the opinion of Dr. Franklin, and the advice of the Marquis de Verac, whom you are expressly directed to consult; whose lights you are interested to avail yourself of, and to sound the dispositions of the Court of Petersburgh.

Congress, when they appointed you to the important and delicate mission in which you are engaged, discovered their respect for your abilities, while they meant by their instructions to guard against any inconvenience into which you might hastily run, by directing you, before you declared your character, to take the advice of a Minister whose residence at the Court of Petersburgh (independent of other circumstances) gave him advantages which an absolute stranger could not enjoy. The letters that have passed between you confirm the propriety of this restriction. The conclusions of the Marquis de Verac on the plan of the proposed mediation are sound and just; and if you have disregarded them, there is no doubt but the event has before this time justified them to you. He has, probably, shown you the answer of France to the proposals of the mediators. You will have remarked therein the same reasoning extended in such a manner as fully to have convinced you that the distinction he has drawn between our treating *at the same time* and our treating as an independent nation are very well founded. It will serve, too, sir, to show that your suspicions on another point are groundless. To suppose that France would go to war for our independence, and yet not wish to see that independence recognised, is a solecism in politics. Surely every acknowledgment of this kind raises our hopes and depresses those of the enemy, and places the justice of the war,

both on the part of France and of us, in a fairer point of view. But, sir, I do not enlarge on this subject; your instructions ought to be your guide, and they evidently show that, at the time they were given, Congress meant that you should treat the Minister of France at the Court of Petersburg with the most unreserved confidence, and that you should not declare your mission till he thought the moment favorable. They still retain the same sentiments, every day having convinced them that France makes but one interest with them in establishing their independence. That she should be delicate about advising us to solicit the notice of other Courts is not to be wondered at, since she must partake, in some degree, of the humiliations that our ill-timed solicitations subject us to. The whole of your communications with the Count de Vergennes marks a delicacy on the other side about advising upon a measure which the instructions of your Sovereign should direct. It is easy to see his opinion and his apprehensions of appearing to have disapproved what Congress had thought might be advantageous to them. I conclude this, sir, by requesting you, if you have not yet made a communication of your powers, to delay doing it till the Marquis de Verac shall agree in sentiment with you that it will be expedient or until you shall receive further instructions from Congress.

In the mean while, you will employ yourself in the manner which your instructions and my last letter advise. I can see no other line in which you can be useful in your present station. As you will have much leisure on hand, I must beg you to write weekly to this office in cypher, and to write with freedom whatever it may be useful for us to know, particularly all changes that may take place in the administration and the measures of Russia. I will not repeat what I have said on this subject in my last, a quadruplicate of which is enclosed, as is also a cypher. This letter will be consigned to Mr. Adams, who will take means to forward it to you by a safe hand.

I am in great pain on account of your letter of the 28th of July, a duplicate of which is arrived. The original has miscarried; should it have fallen into improper hands it may do us very essential injury. I need not tell you how impatient I shall be to hear that this has reached you, since I cannot use my cypher till I receive a line from you written in it, nor can I write with freedom to you till I have a cypher.

Since the reduction of York nothing important has passed in the

military line. The enemy keep possession of New York, Charleston, and Savannah, though they have not strengthened either of the garrisons. They are consequently much weakened; if, as we expect, we shall have a naval support, we have no doubt of being able to expel them this campaign from the continent. Our effective force, exclusive of militia, which we can call in as we want them, including four thousand five hundred French troops, amounts to about twenty thousand men.

They are hardy veterans, well disciplined, well armed, well clad, and well fed. Our finances have assumed a new form, and are every day becoming more respectable by the total abolition of paper, except that of the bank, payable in specie at sight. You have, doubtless, heard of the late change in the British Administration. Sir Guy Carleton has come out in the place of Sir Henry Clinton, and we have reason to believe that the present system is to endeavor, by lenient measures, to seduce us from our alliance with France, and to cajole us out of that freedom which they find they cannot force us to relinquish. It is astonishing to see the contempt with which these attempts are received. The only effect they have is to convince us of the declining strength of the enemy, and to excite a general determination to push them with vigor before they recover their late blow. I enclose the last resolution of Congress, organizing this office, that you may, by seeing my powers, know what attention you are to pay to my letters, which will consist of two sorts; the one written by me without consulting Congress, in which, however, I shall always govern myself by what I suppose to be their sentiments; the other, written and submitted to their inspection, so that you may have the highest evidence of its corresponding with their views. When this is the case, I shall always inform you of it. This letter has been read in Congress, and, of course, contains no instructions which they disapprove. I shall send you a packet of newspapers with this.

I should have told you that your salary will in future be paid here. I shall receive it as your agent, and vest it in bills on Doctor Franklin, and remit them to him, so that you may draw upon him quarterly. I shall send him one quarter's salary by this conveyance, commencing the 1st of January last, and ending the 1st of April last; and considering myself as the agent of all our foreign Minis-

ters, I shall follow your directions relative to the disposition of your appointment until you shall think it expedient to name another.

Your most obedient humble servant,

ROBERT R. LIVINGSTON.

—o—

ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, May 22d, 1782.

Sir,

Your letters from the 28th of July to October 15th have been read in Congress. I have reported an answer,* but they have not yet agreed on it, and I do not care to let this vessel go without a line, however hastily written, to you. You will receive with this the newspapers, which contain some information upon a delicate point. The Administration of Britain having been changed, they will endeavor to represent themselves as popular in America, to induce a belief that we will, under their auspices, be desirous of returning to our connexion with them. Be assured that the change in their Administration has produced none in the sentiments of America; they are immovably fixed in their determination to support their independence, and not to violate their alliance with France. The Assembly of Maryland and the Council of this State have passed resolutions to that effect; it will be the language of all as soon as they meet. Congress have refused a passport to Sir Guy Carleton's Secretary, which was asked in order that he might be the bearer of a letter to Congress. Neither army has taken the field; of course I have no military operations to communicate.

Your salary will in future be paid here, where your agent will vest it in bills on Dr. Franklin, quarterly, upon whom you will draw accordingly. I shall consider myself as agent for all our foreign Ministers, and transact the business accordingly for you, unless you should choose to appoint some other.

I enclose a cypher, which you will use, if it arrives safe, till I have leisure to send you a better.

I am, sir, your most humble servant,

ROBERT R. LIVINGSTON.

* This refers to the preceding letter of May 10th.

ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, May 29th, 1782.

Sir,

You will receive herewith a letter of the 10th instant, which, having been submitted to Congress, was returned yesterday to this office, together with the resolution which I have the honor to enclose expressive of their sense of the sentiments contained in the letter, and of the line of conduct you ought to pursue. Having written to you lately, I have little to add.

We have not been able to settle a cartel with the British for the exchange of prisoners, of whom we have a balance in our hands to the amount of ten thousand. They refuse to pay the great sums that we have advanced for their maintenance, which we make a preliminary to an exchange. It is not improbable that the Germans will be made free of the country, sold for three years to defray this expense, which they most of them wish, as they express a great inclination to settle here.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, June 28th, 1782.

Sir,

Immediately after we had received intelligence here of the important change in the councils and in the system of Great Britain, I consulted my correspondent (the Marquis de Verac) upon the expediency of disclosing my public character, without further delay to her Majesty's principal Minister. He gave me his opinion freely and candidly. For your information I need only say that it is the same in every respect with his former one, which you will find in his letter to me of the 12th of September last, and in mine of September 15th to the President of Congress.

I cannot take upon me to say that his opinion is not well founded. My private sentiment then was, that that event could not fail to occasion a correspondent change in her Majesty's system also; but I knew my means of information were not as good as those of my

correspondent, and that, though every one seems to think the mediation of her Majesty between Great Britain and Holland was in effect at an end, yet in form it was still kept up, so that the reasons against disclosing my character, mentioned to you in my letter of March 5th, might still be supposed to have some influence. This determined me to conform to his advice.

However, I could not think of resting totally inactive in this state of things; though I thought it not prudent to make any official communications, yet it could not be amiss to endeavor at this time to turn, if possible, the thoughts of those in Government upon our affairs, and to refute certain assertions of our enemies which had remained without contradiction here, and by this means to prepare the way for the former. It might at least serve to sound the sentiments of the Ministers. With these views I have thrown the few following reflections upon paper, three translations of which into French have, I am assured, been placed in the very hands I wished to place them, and that they have not been unacceptable.

Reflections.

“When Great Britain engaged in a war with her late Colonies, either to obtain allies, or to prevent new enemies rising up against her, she was desirous to have it believed that she was contending in the common cause of all the maritime Powers of Europe. Spain she endeavored to alarm by suggesting that the revolt in America would be a fatal example to all her Colonies in the New World, and if it had not such an effect upon them, they would at least be liable to be conquered one after another by their new neighboring Empire, so that, in one way or the other, Spain would lose her American Colonies if the independence of the United States should be established. To Holland she held up the danger her peculiar commerce and her navigation would be exposed to from the enterprising spirit of the Americans, who would not fail to become soon her rivals throughout all Europe. To the nations about the Baltic she alleged that the free commerce of America would be highly prejudicial to their commerce, *because many of the commodities of America, being of the same nature with theirs, they would everywhere in the markets of Europe come into concurrence with them.* She has been more particular with regard to Russia, and asserted

that this Empire can derive no possible benefit from a free and direct commerce with America, and that, with or without this commerce, Russia will be in the same circumstances, *because Great Britain who now takes off, will continue to take off, all the superfluous productions and manufactures of Russia.*

“The conduct of Spain and of Holland is the best comment upon the declarations of the British which respect those nations. I shall confine myself, therefore, to those which respect the nations about the Baltic, and particularly Russia. A few short reflections upon these reasonings, or rather assertions, may perhaps show the mere fallacy of them.

“Let it be admitted that Great Britain will in fact continue to take off all the superfluous productions and manufactures of Russia. Does it follow from hence, that Russia can have no interest in a free and direct commerce with America? Will it make no difference to the interests of Russia whether she disposes of her commodities to Great Britain alone, or to Great Britain and America at the same time? Will not the concurrence of America in her ports give an additional advantage to Russia? Will it not enhance the price of her commodities? Will it not increase the demand for them? And will not this increased demand be the means also of increasing the quantity of her productions and manufactures? If these things do not follow, all the reasonings of the best writers upon the principles of commerce, showing the great benefits every nation derives from the concurrence of purchasers of her commodities, are false and delusive. Besides, how is Russia paid for her productions and manufactures? Is it not by exchange in a very great proportion for foreign commodities? Are not many of these foreign commodities of the peculiar production or manufacture of America, such as rice, indigo, sugar, coffee, cocoa, pimento, cochineal, and all sorts of dyeing woods? Does it make no difference to the interest of Russia whether she receives those articles directly from the countries which produce them, or in circuitous voyages through Great Britain, and consequently from a third hand? Does not this course draw along with it double freight, double insurance, double commissions, and are not all the other charges attending a voyage (to say nothing of additional duties) ordinarily doubled by means of this circuitous course? Will not the price of such American commodities be increased by these means when they arrive in Russia, at the most

moderate computation, at the rate of twenty-five per cent.? Will not Russia, therefore, necessarily lose at that same rate upon all her commodities sold to Great Britain in exchange for such American commodities? And will not this contribute in a great measure to keep the course of exchange against her? And will she not lose also the advantages she would infallibly derive from the concurrence of the Americans in her ports? Is it not worthy of consideration whether this extra price of materials necessary for the manufactures of Russia, will not render them so much dearer to foreign nations, and whether this circumstance will not expose her to the danger of being rivalled in those very commodities in other countries? In one word, is it not of the last importance to a nation to draw all such foreign commodities as she wants from the first hand, or from their proper source? What credit, then, is to be given to the assertion of the British, viz., that this empire can derive no benefit from a free and direct commerce with America, and that, without this commerce, Russia will be in the same circumstances.

“Further, if it is true that many of the productions of America are of the same nature with those of Russia, and that a concurrence of those articles on the part of America in the markets of Europe, would be prejudicial to the commerce of Russia, does it follow from hence that it would not be the interest of Russia to have a free and direct commerce with America? Let us take one article by way of example—hemp, which is the foundation of the principal commerce of Russia. That within some parts of the extensive territories of the United States, both the soil and climate may be adapted to the cultivation of hemp of the best quality cannot reasonably be doubted. Is it not, then, of the highest importance to Russia to turn the thoughts of the Americans from the cultivation of this plant, or in other words, to make it their interests not to cultivate it? That Russia can do this by means which may be pointed out, and in the use of which both nations may promote their general interests, is certain. But will the exclusion of the Americans from a free and direct commerce have this effect? Will the sending them to Great Britain, or to any other country in Europe than Russia, for the commodities of Russia, but especially for her hemp, have a tendency to that effect? Will not the Russian hemp, in consequence of such measures, be burthened with all the charges above mentioned when it comes to the hands of the Americans, that is to say, with the

extraordinary charge of twenty-five per cent.? And will not this twenty-five per cent. in fact operate in the nature of a bounty to that amount to encourage the cultivation of American hemp?

“Besides, if America should find a combination to exclude her from the benefit of a free and direct commerce with Russia, is it not natural to suppose she would endeavor to relieve herself from the effects of such an inequitable system, by vigorously adopting proper measures for that purpose? And could she not do it? Might she not begin by profiting of the errors of such an exclusive system, to the encouragement that system would give to the cultivation of her hemp, could she not superadd a duty upon all Russian hemp which should be imported into America? The effects of such a policy on the one part and on the other, cannot possibly escape the penetration of those whose business it is maturely to consider these things. But may it not be asked, if the mischiefs pointed out above should in fact take place, are there any benefits which Russia could derive from such a system which would more than counterbalance them? And what are these benefits? What, for instance, could compensate Russia for the damage she would sustain by losing the supply of hemp for the American market, a market which will be rapidly increasing, while that of Great Britain, to say the least, has come to a full stand? Would not two other important supplies be in danger of sharing the same fate, viz., sailcloth and cordage? All these three articles have hitherto been imported in great quantities into America; sailcloth for the use of all their navigation, and there is scarce any kind of Russian manufactures which they have not imported, and which they do not want. Finally, it is certain that if America had continued under the dominion of Great Britain, that very concurrence in the markets of Europe, which the British pretend will be a consequence of the independence of America, would have taken place, especially in the articles of pitch, tar, turpentine, iron, ship timber, masts, spars, bowsprits, and in general of all naval stores.

“Every one knows that Great Britain drew great quantities of all these commodities from the northern nations. It is not less certain that she drew some of all of them from her late Colonies. But these commodities are so bulky, and of so little intrinsic value, that it was utterly impossible for the Americans to transport them across the Atlantic so cheap as the nations of Europe which wanted them,

and Great Britain in particular, could import them from the northern nations. This kind of commerce, therefore, would long since have utterly failed, and been left free for those nations, if, to prevent this, Great Britain had not adopted the policy of granting large bounties upon all those commodities, iron alone excepted, when imported into Great Britain from America. It was her interest to do this, because at the same time that she was thereby encouraging the commerce of her Colonies, she was rendering a great benefit to her own manufactures, in which she paid the Americans for those commodities, so that her bounties turned to the account of both parts of the Empire at once. Besides, they made her less dependent upon any foreign nations for those commodities, and she was too well acquainted with her commercial and political interests ever to lose sight of that object. She could not grant a bounty upon iron without injuring her own mines; she, therefore, adopted the method of exempting the iron of America from duties which she imposed upon all the iron imported from any foreign country, and these duties being considerable, they had a like effect upon American iron, as the bounties had upon the other commodities. This system was calculated gradually to destroy the commerce of the northern nations with Great Britain.

“Now is it not certain, take away the dependence of America upon the empire of Great Britain, and you take away at the same time the interest of Great Britain, to give the preference to those American commodities? She will then procure them where she can procure them cheapest, that is from the northern nations. When the British bounties therefore cease, the commerce of America with Europe in those articles will cease with them. And thus those nations will nowhere be troubled with the dangerous concurrence in the markets of Europe on the part of America, which has been so much talked of by the British, and may have influenced the political systems of those Powers. During the time America was dependent upon the British empire, she has always imported great quantities of iron and steel from Sweden through Great Britain. She will certainly continue to import those articles when she can obtain them so much cheaper by a direct commerce with Sweden or Russia. Is it not then clear, that the independence of the United States, in whatever view it is properly considered, will turn to the benefit of all Europe, Great Britain alone excepted; that the nations about the

Baltic, Russia above all, if they adopt in season a wise policy towards America, have every thing to hope and nothing to fear from the commerce of that country?"

As these reflections were not in my hand writing, or signed or delivered by me, so there was no danger of exposing Congress or myself in this business. Though no great doubt could be entertained from what hand they came, yet they might have been disavowed by me if it should be thought advisable. I pretend not to have suggested any new matter upon the subject, or to have urged the whole that might have been said upon it. Brevity was a thing indispensably necessary. They are perhaps more adapted to the local state of affairs than any thing the Ministers here may have seen. On the whole, I have no reason to repent of the measure. Although it should not be attended with any immediate good effects, yet I flatter myself it may not be wholly fruitless.

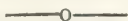
I have prepared a second part, which enforces the first, enters more into political matter, and is chiefly designed as an answer to certain ostensible objections which I understand have been made against her Imperial Majesty's forming at present any political connexion with the United States, but have made no use of it yet, because since the delivery of the first, accounts of the advantages gained by the British fleet over the French in the West Indies, have arrived here, and seem a little to have changed the face of affairs in this quarter; though it seems to me whoever reflects upon that unfortunate action, cannot really suppose the relative force of the two nations essentially altered by it. The British, it is true, may have thereby saved the most valuable of their possessions in those parts, for this year at least, the loss of which would have reduced them nearly to despair, and compelled them to solicit a universal peace upon such terms as they know it is to be obtained. In this view it has its serious consequences.

I would very willingly comply with your request, and make my letters more numerous and more minute, but the want of a safe conveyance from hence (having no other than the post, and not having any cypher from your office) obliges me to remain totally silent upon some matters, and to use so much caution in others, that I fear none of them will afford you much satisfaction, or can be of any real service. I have not been honored with any letter from you since that of the 22d of October last, the duplicate of which has

never come to hand. When you write me, please to send your letters to the care of Mr. Adams. I pray you to acquaint Congress that I shall not fail to exert my small abilities to the utmost, and to improve every favorable opportunity to promote the end of my mission. I should be happy if I could give them any reasonable assurances that my success was at hand.

I am, with much respect and esteem, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, August 30th, 1782.

Sir,

I cannot suffer the post of this day to depart without acknowledging the receipt of the quadruplicate of the 2d of last March, and another of the 22d of May. They were received last evening. Neither the original of the first, nor either of the other copies has reached me, so that I have been a long time without any intelligence about affairs in our country from you. The reason you assigned for this surprised me. I thought it had been next to impossible that my letters written from hence in August, September, and October last, should not have reached you long before that time. The only channel through which you can write me with the least security is Holland. If your letters are sent to the care of Mr. Adams, they will come on under every possible caution; but no letter should be sent addressed immediately to me. In such a case, there is no doubt but they would all be opened at the office here. I send all my own letters under cover to friends in Holland, which, though it doubles the postage, is a caution which ought not to be dispensed with.

Your letter has eased me of much anxiety, particularly that paragraph of it which begins with the word "*you*" and ends with "*acknowledged*," as it has cleared up the point of most importance, and upon which I wanted more explicit directions than are contained in my instructions. Though this letter has been so long on its way, yet it has arrived in good season to answer every purpose of it. I have hitherto been governed by sentiments exactly conformable to those you have expressed in the clause which begins with "*all*" and ends with "*insecure*." But my anxiety arose from an appre-

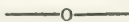
hension that the expectations of Congress might possibly have been different for want of some local information which I have never ventured to communicate.

I have reason to believe that at this time the illustrious Sovereign of this Empire and her principal Ministers are fully convinced that the affairs of the United States have acquired a consistency which renders their independence perfectly secure, particularly that they are not distracted by internal divisions, that Congress are every where highly respected, freely obeyed, and firmly supported; that the governments of the several States harmonize with them and with each other in all great political points, and in their turn are equally respected, obeyed, and supported by their respective citizens. On these points there is no danger of our suffering from the misrepresentations of our enemies. If I have been able to collect any part of the sentiments of this Court, it is that the independence of the United States is established beyond all question, and that its political measures, so far as they may take our country into view, will be formed upon that supposition. Indeed, they have long since been formed on that ground.

Sir, as I propose to forward two copies of this letter by the post of the day, I should miss of the opportunity if I enlarged here. I will take up the subject in my next by the next post. I am sorry to find the ordinance you mention does not accompany your letter, though you say you enclosed it. I wrote to Mr. Adams for it as soon as I heard of it, but have not received it from him.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, September 5th, 1782.

Sir,

Though there is now no danger of our suffering from the misrepresentations of the British, and our independence may be considered as established beyond all question, yet her Imperial Majesty, still entertaining the expectation of mediating at the general peace, every measure which may possibly be deemed an obstacle to that end will be studiously avoided. It is not, therefore, to be expected that any application of ours would meet with the desired success, while her

Imperial Majesty continues to tender her mediation. This has all along been my idea of the matter, and if I had not received the further instructions of Congress contained in your letter, I should not have attempted to assume my public character under such circumstances.

But I must confess, at the same time, I should have risked the measure the first moment I saw the mediation given up by her Majesty, because I did not view the United States as humble supplicants at this Court, as they were not seeking aids from her Majesty, and had nothing to ask but what they intended to give an ample equivalent for. And I did not consider that the real honor and dignity of the United States would be more exposed, even by her Majesty's declining to accept our propositions, and by my immediate retirement from her Court in that case, than they would be exposed to by my long residence here (no such cause as is mentioned existing) in the character of a private citizen of the United States, when the event would show that I had all the while a commission in my pocket as their public Minister. You will not conceive, sir, that I mean to question the propriety of the orders of Congress which you have communicated to me. I am sensible it is my duty to obey, and not to dispute their commands, and I am very happy to have received them in such clear and explicit terms.

I beg leave to observe, that when Congress ordered my commission and instructions to be made out, they seem to have misapprehended the nature of the confederation proposed by her Imperial Majesty to maintain the freedom of commerce and of navigation. My commission and instructions are in part founded upon the supposition that her Imperial Majesty, in her declaration of February 28th, 1780, had invited both the belligerent and neutral Powers to enter into a general convention for that purpose, and authorise and direct me to accede to the same (if invited thereto) on the part of the United States. Whereas that declaration is in the nature of a notification to the belligerent Powers only, and contains a complaint of the interruption the commerce and navigation of the neutral nations, and of her own subjects in particular, had suffered from the subjects of the belligerent Powers, in violation of the rights of neutral nations, sets forth and claims those rights and declares, that to maintain them, to protect the honor of her flag, &c., she had fitted out the greatest part of her marine forces. These violations,

it is said in it, ought to excite the attention of all neutral Powers. In pursuance of this sentiment, a copy of the declaration was communicated to the Courts of Stockholm, Copenhagen, Lisbon, and to the States-General; in which communication they are invited to make a common cause of this business with her Imperial Majesty, who adds, that if to establish this system on a solid foundation, the neutral Powers abovementioned would open a negotiation, and enter into a particular convention, she would be ready to come into it.

This is the only passage I have been able to find in all the acts relative to this subject which gives the least idea of a Congress or general negotiation. No general negotiation has ever been opened in consequence of this intimation, and if there had been, the belligerent Powers, I conceive, could have taken no part regularly in it, or in the particular conventions which might have been the result. They had only to make their several answers to the declaration which her Imperial Majesty made to them, as they have done. The marine convention which was afterwards first entered into by her Imperial Majesty and the King of Denmark, and which has served as a basis for all the others, being nothing more than an association to maintain their rights as neutral Powers, no formal accession can be made to such a confederation on the part of the United States till they cease to be a belligerent Power.

Viewing the matter in this light, and knowing that the resolutions of Congress have long since been communicated to her Majesty by Mr. Adams, through her Minister at the Hague, I have not communicated them, though he thought it was the intention of Congress I should do it on my arrival here. I hope, sir, you will favor me with the sentiments of Congress upon this subject by the earliest opportunity, that I may know not only whether I am mistaken in my opinion about it, but whether my conduct meets with their approbation.

It is proper to advise Congress that there is a fixed custom at this Court, that every Power entering into any treaty with her Imperial Majesty must pay six thousand roubles to each of her principal Ministers, that is, to four of them, making twenty-four thousand in all; reckoning them upon an average of exchange upon London at forty-five pence sterling, makes £4,500, if I mistake not. This sum has been paid by all the neutral Powers who have acceded to her

marine convention. If, therefore, the time should ever arrive for me to make any treaty here, it will be indispensably necessary Congress should enable me to advance that sum upon the execution of each treaty. I make no other comment upon this practice than that I hope it may never find its way into our country.

I was too much pressed for time, when I wrote you last, to acquaint you that Portugal had acceded to the neutral confederation. This should not be considered as a mere voluntary act on the part of Portugal. For Portugal sent on hither, in the course of last winter, a consul, in expectation of forming a commercial treaty, which her Majesty declined, unless Portugal would accede to the neutral confederation. The commercial treaty is not yet finished. It seems to be the present determination of her Majesty not to grant any special commercial favors to any nation, but to make treaties with all upon equal principles. The treaty with Britain, which will expire on the 20th of June, 1786, I am assured is not likely to be renewed, so that that nation will presently lose the benefits derived from a kind of monopoly which they have long enjoyed here.

You acquaint me that Congress have ordered the salaries of all their foreign Ministers to be paid in America, and that you shall transmit bills to Dr. Franklin, upon whom they are to draw quarterly. I shall attend to this new arrangement in future. I wish you would be pleased to inform me in your next, whether Congress have taken into consideration the questions I stated in my letter of the 24th of March, 1781, relative to my salary, and what has been done upon it. I am inclined to think, from the concluding paragraph of the preamble to my instructions, that Congress supposed "the diplomatic order in which I am placed by my commission" was inferior to that in which their other Ministers in Europe were placed by their commissions. That paragraph seems to have been taken from Vattel's Law of Nations, where he treats of the several orders of public Ministers. He supposes a great difference in point of ceremony or etiquette, and says that Ministers Plenipotentiary are of much greater distinction than simple Ministers. In both these suppositions he is certainly mistaken, at least as to this Court, where they are treated in the same manner in every respect. Indeed, Envoys Extraordinary, and Extraordinary Ministers Plenipotentiary, and Ministers simply so named, being all in the second class of

public Ministers, and of equal rank, are treated in the same manner. No distinction is made between them on account of their different titles.

Precedency, among Ministers of the same class, is not settled here throughout. The general rule of adjusting, here and elsewhere, is the relative rank of their respective masters or Sovereigns. No Minister, for instance, of the second class, would dispute precedence with a Minister of the Emperor of the same class; but we have seen a Minister of the present Empress claim precedence of a Minister of France of the same class, though generally the Ministers of France have been in possession of the place next to the Ministers of the Emperor. This dispute has left the matter of precedence among Ministers of the same class much at loose here, where indeed they are not much troubled about etiquette of any sort. Each Court has its particular usage in such cases, and no good information is to be drawn from any general treatises upon the subject.

I have the honor to be, &c.,

FRANCIS DANA.



ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, September 18th, 1782.

Sir,

I have just now received your favor of the 30th of March, it being the only letter we have had from you in eleven months. The previous one of March 5th never reached me. I am compelled, from the variety of things that press upon me at this time, to answer in fewer words than I would wish to do. Your observations on the trade of Russia are very pertinent, and afford us some useful hints, and, as none of the actions of the Empress, who has at present, by the force of her own abilities, such influence upon the affairs of Europe, can be indifferent to us, we feel an interest in the statement you give us of her connexion with the Porte. You have, however, been totally silent upon a subject that interests us more immediately. You say nothing of your own situation, whether you are known or concealed; whether you have conversed with the Minister, or thought it prudent to keep at a distance till a more favorable moment offers; whether our cause gains or loses ground at Petersburg; and what means you use to support it; whether you have

had any conversation with the French Ambassador since that you detailed to us, and what the result of your conferences with him have been. These are points upon which we should not be left in the dark.

As to ourselves, nothing important has been done in the military line this summer. The enemy has remained inactive, and our disappointment in the expected naval aid, from the misfortune of Count de Grasse, has compelled us hitherto to be so too; though we never at any period of the war had so respectable an army, if we take into view either their numbers, their discipline, or their supplies of every kind. The French troops from Virginia have just joined ours on the banks of the Hudson. The feeble attempt of the British to dissolve the alliance formed against them, by detaching us from France, or France from us, was received here with contempt, and almost every Legislature on the continent immediately passed unanimous resolutions expressive of their determination to make no peace in which the interest of their allies was not included. Congress refused to receive Mr. Morgan, Secretary to General Carleton.

The change which afterwards took place in the British administration has made a very important alteration in their system here. Savannah was evacuated, and the proposed evacuation of Charleston has been announced in general orders. Everything seemed to speak the evacuation of New York, when we learnt that a second change has taken place, and that the death of the Marquis of Rockingham has put Lord Shelburne at the head of the administration.

The enclosed letter from General Carleton and Admiral Digby, Commissioners for making peace, is such a glaring evidence against them, if they change their conduct towards us, that I wish you to have it published.

I am, sir, your most obedient humble servant,

ROBERT R. LIVINGSTON.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, September 23d, 1782.

Sir,

Your answer to my letters, from the 28th of July to October, mentioned in yours of the 22d of May, has not reached me, nor

have any of your letters except those the receipt of which is acknowledged in my last. That of the 22d of May, I received on the 29th of last month, but the newspapers which you say accompany it, were brought me by yesterday's post, at an expense of near four pounds sterling. How they came to be separated from your letter, or who forwarded them to me, I know not.

It may be advisable to furnish me, when the time will admit of it, with authentic copies of such proceedings of Congress as I ought to be particularly informed about, or when these matters, or any other of that nature are published in the newspapers, to cut them out and enclose them in your letters. For I cannot receive our newspapers through any other channel than the post, and at what expense you have a specimen above. I cannot tell to what accident it has been owing that I never received the resolutions of Congress of the 26th of June, 1781, till the last week. Had I been possessed of them when I wrote my last, I should not have troubled you with an inquiry about the questions stated in my letter of the 24th of March, 1781, to which they seem to be intended as an answer. If Congress have made any alterations touching the subject of them as far as it can now concern me, I should be glad to know them.

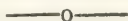
As it seems to be the fixed determination of Congress that nothing shall be put to hazard here, I shall not think myself at liberty to take any official step to bring on the business of my mission, though the general state of affairs should seem to promise success, unless I have assurances that I shall be received and acknowledged in my public character. Congress must not expect any such assurances will begin on the part of this Court, so long as the Court of London shall oppose any act by which we may be considered as an independent nation. For her Imperial Majesty would not choose unnecessarily to give the least umbrage to the Court of London, and, of course, if not called upon to do it, she will not make any advances to meet our views till all opposition shall cease. Her Majesty and her Ministers well know our policy is founded upon great and liberal principles, and they do not apprehend they shall lose any advantages by postponing a political connexion with us, till the way is perfectly clear to form it.

There has no change taken place in the administration here, as you have been informed, since my arrival. Count Panin had retired from Court before, and though he still bears the title of Chief of the

College of Foreign Affairs, yet he takes not the least part in them. The Vice Chancellor, Count d'Ostermann, continues to conduct the etiquette of that department, as the First Minister. Things appear to be governed still by the same influence and the same principles which took place upon the retirement of the former. I have attempted to write to you in your cypher, but find the scheme intolerably tedious, and so liable to errors, that I have been obliged to give it up. Besides, it has come to me through the post office, and I am not sure they are not in possession of a copy of it. I will endeavor to prepare another scheme, which I think will be attended with much less trouble, and be equally good on other accounts. I will forward it to Holland by Mr. Adams's son, who will soon leave me, when I shall be totally destitute of any assistance, and deprived of any person into whose hands your papers might be committed in case of my death; nor is it possible here to procure any one in whom I could safely confide. I am the more easy about this, as I propose to return to America as soon after I shall be received in my public character, as the principal business of my mission shall be finished. I will, myself, bring any treaty I may conclude here for ratification, when I doubt not I shall be able to assign such reasons for my departure, without express permission, as will be satisfactory to Congress.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, September 29th, 1782.

Sir,

I have this day been honored with the duplicate of yours of the 10th of May, and of the 22d and 29th of the same month, together with the resolutions of Congress of the 22d of February, and of the 1st of March last, relative to your department, but no copy of your letter, or of the resolutions of Congress expressive of their sense of the sentiments contained in the letter of the 10th of May, or of the cypher, all of which you say are enclosed in that letter, has come to hand with it.

If my first letter to you, dated March 5th, which was written by the next post after the receipt of your first, has been received, and I

think it must have been soon after the date of your last, all anxiety which might have been occasioned by my earlier letters from hence, I hope will be removed, and that I shall be thought not to be totally destitute of political prudence. When that letter was written, I was rather apprehensive I might be censured by some as suffering prudence to degenerate into pusillanimity, for not taking advantage of the impression made by so important an event as the surrender of Lord Cornwallis and his army, and thought it expedient to assign any reasons for not doing it, knowing that we are apt to think events, which so immediately change the face of affairs among ourselves, operate almost as sudden changes in the systems of Europe.

My letter of June 28th I hope also will have the same favorable tendency. The measure mentioned in it, I presume, will not be censured. To say the least it has not been productive of any unhappy effects. I have never delivered the second part, because I have not yet been satisfied of the expediency of touching upon some matters which it contained. I have always consulted the French Minister freely, whenever I have thought any circumstances favorable to our views have turned up, (an instance will be found in the above letter,) and I have never acted against his opinion given me upon any point

The line I have hitherto pursued is precisely that pointed out in your letter of March 2d. In truth, sir, no person has higher ideas of the real honor and dignity of the United States than myself, and no person, perhaps, would be less liable rashly to expose them to any indignities. I will not now trouble you with observations upon any parts of your letter of May 10th, though I may think myself obliged to do so hereafter, when I shall have a more convenient opportunity to enter fully into the subject of it, and into the necessary explanations.

At present we have no interesting intelligence here. What may be the consequences of the measures taken by her Imperial Majesty to restore the deposed Khan of the Crimea, of whom I have made some particular mention in my letter of the 30th of March, is not easily foreseen. Whenever we shall receive any certain accounts from that quarter, I shall not fail to communicate them. In that same letter I gave you some account of the commerce of this country, and pointed out in what way I imagined we might take a part in it to our advantage. I enclosed you a printed list of the exports from

hence for 1781. You will receive one with this also, which will serve to show the nature of them with more exactness than the quantity; for this is always considerably greater than those lists import it to be, because they are formed from the articles alleged by the merchants to be shipped, and for which they pay the duties, and they scarce ever report the whole to the custom-house.

To give you a more particular knowledge of the commerce of this country, I have sent you (with the dictionaries you wrote for) a small treatise upon the subject, which enters into mercantile details, and may be very serviceable to some of our merchants. It is in general well written, and is the only one I can learn which has been published upon it. Her Majesty, who seems to give great attention to the commerce of her empire, has since freed it in many instances from the restrictions imposed upon it. In particular, all kinds of military stores are now permitted to be exported by any one paying the duties, saltpetre, rhubarb, &c. And the exploring and working of mines have also been lately encouraged. Though there are vast mines in this empire, yet they were never worked upon till the time of Peter the Great. Before that period Russia imported all her iron, copper, lead, &c., principally from Sweden. At this day Russia exports as much iron (the exportation of copper is prohibited) as Sweden, that is, one year with another, about three millions of poods, a pood being forty pounds Russian, a little more than thirty-six pounds English. Some of the iron of Russia is at least as good as the best Swedish, particularly what is called old sable iron. We used to import considerable quantities of the Swedish, if I am not mistaken.

Upon my arrival here, I found a strong apprehension prevailing that we should rival this country in the other parts of Europe, especially in the important articles of iron and hemp. Besides what I have said upon this subject in the reflections contained in my letter of June 28th, I endeavored to show the high improbability of our going into the business of mining, even to a degree to answer our own demands, for an age at least, much less for foreign markets. From the dearness of labor, when our mines if worked at all must be worked by freemen, and not as in Europe in general, by slaves, as we had no white slaves, and had prohibited the importation of blacks; that by this means, aided by the enemy, who in their progress through the southern States had stolen them from many planta-

tions, and shipped not a few to their Islands, we should shortly see an end of slaves in our country ; that the policy of our Governments was opposed to the commerce of slaves ; that upon the supposition we could work our mines by freemen nearly as cheap as Russia, yet we should import her iron in great quantities, because the nature of the other commodities we should take from hence is such as would require our vessels to be ballasted, and that they would wish to take in iron in preference to other unprofitable ballast and without freight, so that it would always arrive among us at an advantageous rate. From the prodigious extent of our uncultivated territory, joined to the ease with which every inhabitant might make himself an independent proprietor of a sufficient portion of it, for the comfortable support of himself and a family, who in their turns might find in the same way the same facility of subsisting in an independent state of life ; that it was not in the nature of things for men thus circumstanced to bury themselves in the bowels of the earth, and spend their lives and their labor for the profit of others.

As to the articles of hemp, I observed notwithstanding the encouragement by bounties given by the Parliament of Britain, aided by the influence of the King's Governors in the Colonies, we had never adopted the cultivation of it in any degree worth consideration ; that we had continued to import it through Great Britain in very great quantities ; that scarce any vessel ever came from thence without bringing more or less of it ; that it had never become an article of exportation, unless possibly in some instances for the purpose of recovering bounties ; that the people were averse to its cultivation, as it not only required a good soil, which could be more profitably employed in raising grain but impoverish it very fast ; that grain was one of our capital articles ; that by means of it we kept up a profitable commerce with all the West Indies, as well as with some of the more southern parts of our continent ; that further, it would be the policy of America, whenever circumstances should turn her attention to manufactures, to begin upon the coarse woolens in preference to linens of any kind, and to that end to promote the increase of wool, rather than that of flax or hemp ; that a system of this sort coincided perfectly with the cultivation of grain, as it contributed to fill the country with provisions, to render labor cheaper, and to afford further supplies for the above foreign markets ; and that our lands instead of being injured, would be much meliorated by such means.

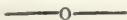
By arguments of this kind, pursued into their details, and such as are contained in those reflections, I have endeavored, I hope with some good effect, to dissipate any apprehensions of the above-mentioned rivalry. This had become an object of consequence to us, as this rivalry was maintained by both friends and foes, though with very different views. I will explain myself hereafter upon this point.

Our latest intelligence from America comes by the way of Iceland, and in substance is, that the ship-of-war the *Princess Caroline* had arrived there last from Charleston; that she was at Savannah on the 30th of June; that the garrison had received orders to evacuate that post; that on the 1st of July transports had arrived there from Charleston to take them off; that she carried Governor Wright to Charleston, where she arrived the 3d of July; that all was then quiet there, but that General Carleton had determined to evacuate that place also, and to keep possession of St. Augustine. Thus it is generally supposed here that those two posts have been evacuated by the British to reinforce New York and their Islands, and that New York is besieged, as we learn further by the way of London, that Vaudreuille had sailed with twenty ships-of-the-line for our continent, supposed with the design of covering the siege of that place. As to military operations in Europe, Gibraltar now commands universal attention, and it is believed that celebrated rock must soon change its masters, and if so, that this will smooth the way to peace.

I have the honor to be, &c.,

FRANCIS DANA.

P. S. I do not write to you in your cyphers, because since your last copy is missing, I think the reasons against doing it are stronger than when I wrote my last.



TO ROBERT R. LIVINGSTON.

St. Petersburg, October 14th, 1782.

Sir,

I should have done myself the honor of writing to you before this day, but I have been so much indisposed ever since the date of my last, that I have been unable to do it. Notwithstanding the difficulties I have had upon my mind, and have expressed in my letters

of September 29th and October 1st, I have hazarded writing to you in your cypher, to communicate the matter contained in my last. It may be proper to acquaint you that the reasons urged in support of that project were in writing, and annexed to it; that I read the whole carefully, and immediately upon my return home reduced it to writing from my memory, more at large than I have given it to you, having in my communication expressed myself in as few words as possible, preserving the substance only, to save unnecessary trouble in cyphering and decyphering. This is what is alluded to where it is said, "this rivalry was maintained by both friends and foes, though with very different views."

As you have the matter now before you, if I did not feel myself under any restraint it would be needless for me to trouble you with any particular observations of my own upon it, because you will at once discern its effects upon our present interests here, as well as upon our commerce and navigation in future should the scheme be carried into execution, of which I believe there is now no probability, the plan mentioned in my letter of March 30th, particularly that part of it contained in the clause beginning "perhaps solidly," and ending with "protection," seems to be opening upon us. I have never entertained an idea that her Imperial Majesty, or any other of the neutral Powers, would take a part in the present war. The probability of her doing so is, if possible, much weaker than before.

Her attention will be turned to another quarter, and we may see a war break out against the Turks, in which the Emperor may be concerned likewise. Many movements tend to this end. An army of a hundred and sixty thousand Russians are ordered to assemble at Kersant, a new fortified village in New Russia, situated on the western side of the Dneiper, or Borysthenes, at about fourteen leagues from Oczakow, a well fortified town of the Turks, famous in the war of 1736, situated at the mouth of the same river, and opposite to Kinburn, a port which Russia obtained at the last peace, but which is exposed to the sudden attacks of the Turks from Oczakow. Eighteen regiments, amounting to about twenty-five thousand men, have already arrived at Kersant, and the residue, or as great a part as can be collected, will be at that rendezvous in March next. The restoration of the deposed Khan of the Crimea is the declared object of this great force; but I am told that revolu-

tion has been effected by the intrigues of the Court of St. Petersburg, to raise a pretext for this movement, and to cover the real object in view; and that the campaign next year will open with the siege of Oczakow. I pretend not to be certain about this particular information, but I give it to you as what appears to me not to be improbable.

The Russian Ministers are in general Anti-Gallicans, and have, since the exit of Count Panin, sought to divide or lessen the enemies of Great Britain. Hence the most extraordinary proceedings to bring, or rather to drive, the United Provinces into a separate peace with Great Britain, (which have not yet ceased,) and hence all the patient acquiescence in her attempt to make a particular peace with the United States, though repugnant to the propositions of the mediating Courts. I believe they would have been well pleased, not only that their partial mediation between Holland and Great Britain had succeeded, but that the United States, as an independent nation, had made their own peace with Great Britain, and left her to contend with the house of Bourbon alone. From this general sketch of their system, you may be enabled to account for many appearances.

I have the honor to be, &c.,

FRANCIS DANA.

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TO ROBERT R. LIVINGSTON.

St. Petersburg, November 1st, 1782.

Sir,

Conceiving that the most, if not the only profitable connexion we can form with this Empire, is of a commercial nature, I have, during my residence here, turned much of my attention to learn in what manner we can carry on a commerce with it to our greatest benefit. In a former letter I acquainted you that rice and indigo were the principal of our commodities adapted to this market; that it would be necessary, therefore, for us, in order to maintain any considerable commerce with this Empire, to do it by means of a circuitous navigation; and I pointed out a course which I thought practicable. That, however, would be absolutely annihilated if the scheme communicated in my letter of October 1st should be carried into execution.

It was not on that account alone that I was led to consider that scheme in so serious a light. I found it a great obstacle in my way, counteracting our immediate views, and aiming a blow at our interests in the only part where they were liable to, or might most easily be injured and wounded. I was, of course, an obstacle in the way of that, though at first without the least apprehension of its existence; and it must necessarily have been supposed that I should be so. How far this may have influenced in certain matters which I need not point out for your information, I will not take upon me to say. I hope it will not be thought I have already said too much upon it, or that I have been unreasonably alarmed about it. There is not, I believe, the least apprehension that I have come to the knowledge of it, or that I have been in the way of obtaining the least information of it. While things remain in this state, there will be no disagreeable consequences from it. In my last I have added some circumstances for the explanation of this subject, as I thought it not advisable to say any thing upon it in my letter of October 1st, lest it might tend to disclose it if that letter should be intercepted at the office here. One channel of my correspondence has been lately discovered, and a letter written to me upon political subjects was opened at the office, and sent to me slightly sealed that I might know it had been opened there. Fortunately, it placed our affairs in a very favorable light, and can do us no injury, but will serve to confirm the representation I have constantly made of them.

There is another channel of commerce which we may perhaps enter into with equal or greater benefit to ourselves, and in which we shall have great advantages, if I am not deceived, over all the nations of Europe in this market; I mean through the West Indies, all the productions of which (rum excepted) are brought here, after being carried into the respective mother countries, where they are unloaded, deposited for a considerable time, and loaded again before they are brought in here; all which occasions a great increase of expense, and much enhances their price. Now almost all our commodities find a ready market in the islands. Would it not be practicable, therefore, for us to exchange them there for the proper commodities of the islands, at proper seasons of the year, and to proceed directly for this market? By such means might we not be able to furnish them here at a much cheaper rate than any of the Europeans can do it, and nearly as cheap as if they were our own

native productions—and might we not always be at this market with them before they could be, or by the time they arrive in their respective ports? Our want of proper commodities to carry on a commerce with this country to any considerable extent, whose productions we stand in great need of, should, and doubtless will, make us look abroad for them. The Dutch have found it for their advantage to take the commodities of the West Indies through France, and to bring them on here, as well as the wines, brandies, &c., of that country. I am sensible this is a matter of calculation, and that no one but a thorough merchant should pretend to decide upon it. I throw out the matter therefore for consideration.

I have suggested this plan here, as one by means of which this empire might be furnished with all the productions of the West Indies, at a much cheaper rate than the European nations can possibly supply them through their respective European countries; and, besides this certain advantage, they may obtain another as a consequence of that, of infinite importance to this country, viz., that the Europeans seeing their West India commodities undersold here by the Americans, may find it necessary to set the commerce of these islands and countries free; and to permit the productions of them to be exported directly to any foreign ports in Europe, and that it is not improbable that such a revolution in commerce will take place.

I have the honor to be, &c.,

FRANCIS DANA.



ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, November 7th, 1782.

Dear Sir,

Since my last, a duplicate of which goes with this, I have been favored with yours of March 5th and June 28th, by which I find some of the inquiries made in my last answered. The reasons you have given for not having taken any steps to display your public character are judicious, and I hope will continue to influence your conduct till you see the moment in which, with the advice of your correspondent, you may do it to advantage.

You will continue to give us the politics of the Court you are at, and of every other from which you can collect any authentic information, which the enclosed resolution of the 17th of October

makes more peculiarly your duty.* I hope you have received the cypher I sent to Mr. Adams for you. Lest you should not, I enclose one. If you have received either of the others, use the large printed one, which you will find much safer than the other, as well as more easy in the practice. The large one is also designed as a common cypher between Mr. Adams and you. So that you may communicate freely with each other, from which you may find mutual advantages.

I also enclose several resolutions of Congress declaratory of their determination in no event to conclude a peace without the concurrence of their allies. As it is for the honor of the United States, that their sentiments on this subject should be known, you will make such communication of them as your prudence will direct. In my last, you have a copy of Carleton and Digby's letter to General Washington, in which they say that they are authorised to declare that his Britannic Majesty has proposed the unconditional independence of America as preliminary to a peace. This change in the British system places them in a truly contemptible light, since it is a direct disavowal of their assertion. Carleton seems to feel this, if we may judge by some expressions in the extracts I enclose you.

The campaign here is brought to a close, the army have gone into winter quarters; the summer has passed in perfecting their discipline and establishing a variety of arrangements, which rendered them, in the opinion of well-informed foreign officers, equal in every point to the best troops in Europe. The enemy are so perfectly conscious of this, that they have never ventured beyond their lines, which they have contracted considerably. We cannot yet hear that Charleston is evacuated, though many arrangements had long since been made for that purpose; it is improbable that the late change in the British system has occasioned a change of sentiment upon this point, even after their annunciation of such a design had driven out their partizans to take protection from us and enlist under our banner

* "*Resolved*, That the Secretray of Foreign Affairs inform the several Ministers of the United States in Europe, that it is the desire and the express direction of Congress, that they transmit full and frequent communications as well of the proceedings of the Courts at which they respectively reside, as those which relate to the negociations for peace, and also of all such other transactions and events as may in any manner concern the United States."

which was insisted upon as a condition precedent to their being received into favor.

The enclosed resolution will inform you of the appointment of Mr. Boudinot to the rank of President in the room of Mr. Hanson, whose year had expired. The public prints which accompany this will furnish you with some articles of intelligence, which you may find interesting. I informed you some time ago that the salaries of our Ministers would in future be paid here, and I requested you to appoint an agent to receive yours. The expense to which this would put you, would be amply compensated by the profit on the purchase of bills and the regularity of payment. I have taken upon me to act as your agent till I hear from you; and my Secretary, Mr. Morris, has hitherto transmitted bills to you on Dr. Franklin, on your account, bought at the rate of six shillings and three pence this money for five livres, which makes a saving to you of about twelve per cent. A letter from him containing a state of your account and bills for the last quarter due will be sent with this.

I wish you to appoint an agent here, or direct me to appoint one for you, as this is a troublesome business to me, particularly while I act without knowing your sentiments on this subject. I have been induced to undertake it at the pressing instance of the Superintendent of the Finances, and to render your payments more regular than I fear they have hitherto been. No provision is made for your contingent expenses, nor can there be till you send me an account of them.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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TO ROBERT R. LIVINGSTON.

St. Petersburg, November 18th, 1782.

Sir,

When I was informed by Mr. Adams that Mr. Jay had written to him from Paris that "the British Commissioner there had received full powers to treat of a peace with the Commissioners of the United States," I waited upon the French Minister to consult him on this special occasion upon the expediency of communicating my powers to this Court. It would be imprudent, through this channel, to go

into the reasons he assigned against it. It may be sufficient to say I found him strong in the opinion that all attempts made prior to a peace would be fruitless.

As his opinion is the rule by which I am to be governed in this case, nothing can be attempted till the period arrives when we shall not feel ourselves under strong obligations to any Sovereign in the world, who should even make advances to form political connexions with us, or acquire much *éclat* from any such connexions. I thought the opportunity favorable when the only Power which had any pretence of right to contest our independence, had consented by so formal an act to treat with us upon the footing of a sovereign and independent State. The consideration we should acquire by a political connexion with the illustrious Sovereign of this Empire during the war, and the advantages we might reasonably expect to derive from it in our negotiation for a peace (for I have never considered independence as our only object) have ever made me desirous, if possible, to effect it during the war. Scarce any political measure of great importance can be undertaken with "an absolute certainty of success." If, therefore, upon mature deliberation, the state of things is found to be such that success is not improbable, and the benefits of it great and permanent, while the disadvantages of a failure, comparatively speaking, are small, and of a transient nature, in such a case it should seem that the measure should be hazarded. Though I do not believe this to be the very moment in which her Imperial Majesty would wish to form any political connexion with the United States, but, on the contrary, she would wish to postpone it till the conclusion of the war, and be well pleased that no advances should be made on our part till then; because this would afford her opportunity to claim much merit of the Court of London, in having withheld any encouragement to us, when, at the same time, not only any offence to the United States would be avoided, but she might allege, without a possibility of contradiction, that if an earlier application had been made by them, she would have been happy to have had an occasion to manifest her respect for them and the early interests she took in their concerns.

Nevertheless, there is room to suppose that if our propositions were communicated while the British King is in fact treating with the United States as with an independent Sovereign Power, that they would not be rejected. And if they were received, this cir-

cumstance might be productive of great benefit to our permanent interests. It would, in all probability, bring on a declaration of our independence by some other very considerable Powers of Europe, particularly Sweden and Russia. The neutral maritime Powers would extend the protection of their commerce and navigation to America, and no longer suffer their flags to be insulted on our coasts. The Court of London would treat of peace with more zeal and good faith. They would the more readily give up certain claims and pretensions which they will doubtless make upon the United States, and would be exceedingly cautious how they broke off any negotiations which they had opened. In a word, we should stand on a more advantageous and independent ground of treaty.

For the attainment of objects like these, had any discretionary power been left me, I should have thought it clearly my duty to have made the attempt here in this moment, as I now consider it to be my duty to wait for the conclusion of the war, the period which is pointed out to me as the only proper one, and when most certainly nothing will remain to be hazarded.

If the present negotiations for a peace should happily succeed, I shall have occasion for the money mentioned in my letter of September 5th, before I can expect an answer from Congress on that subject, and I shall apply to Dr. Franklin and Mr. Adams to advance it between them. It may not be amiss again to inform you that by the express allowance and order of her Majesty, there is to be paid by every Power entering into *any* treaty with her, six thousand roubles to *each* of her Ministers signing the same; and it is now understood that there shall be four signatures on the part of her Majesty, viz., that of Count Ostermann, the Vice Chancellor; Count Woronzow, the President of the College of Commerce; M. Bakour-nin, Vice President of the College of Finances; and M. Besborodko, Secretary of the Private Affairs or Particular Cabinet of her Majesty. Matters of this sort were formerly secret and gratuitous. They have now changed, their nature become public, and are demanded as of right, at least no treaty can be otherwise obtained. And care is taken to make it the interest of most Powers to form a commercial treaty with this Empire by declaring in the new tariff, which is just published, that all nations not having such a treaty shall pay the duties, one half in rix dollars and the other in the money of the country. This has heretofore, under the old tariff, been the rule

for all nations except the British, who, by their treaty, obtained the right of paying *all* the duties in the money of the country. This privilege is extended to Denmark by their late treaty, and will doubtless be made common to all nations which shall choose to enter into a commercial treaty with her Majesty, and thus the British will lose the principal benefit of their treaty before it expires, viz., 1786.

I have the honor to be, sir, with great esteem, &c.,

FRANCIS DANA.

—o—

ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, December 17th, 1782.

Sir,

Your distance, and the difficulty of conveying letters to you, make it proper at times to take a retrospective view of what has passed, and by that means of supplying in part such despatches as may have miscarried.

The last year closed with important advantages gained over the southern States. The winter was unproductive of any events in this country that merit your attention.

The alteration in the British system of warfare in this country, in consequence of their reduced strength, and in pursuance of the victory obtained by the Opposition in the House of Commons, has rendered the campaign inactive on the part of the enemy, and the few posts they possessed were so well fortified and garrisoned as to render an attack by us, without the assistance of a fleet, very hazardous. The reasons we had to hope for such assistance kept us from taking measures to act offensively in proper time. But though the summer has passed off without any brilliant military exploit, it has by no means been unemployed. Such attention has been paid during these moments of leisure to the discipline of the troops and recruiting the army, that they are at this time more numerous than they have been at any period during the war. So perfect are the officers and men in every military manœuvre, that we may, I believe without vanity, boast to have an army not inferior to any in Europe. We should not know how to give this praise to our troops, but from the facility with which every foreigner gives it, notwithstanding national prejudices.

Among the military events which mark this year, are the evacuation of Savannah, and the measures taken for abandoning Charleston. The poor wretches, whom fear or interest led to join the enemies of their country, find themselves sufficiently punished to merit even our pity. With blasted characters and ruined fortunes they are seeking new habitations under the line or near the pole. Numerous cargoes of them are sent to the West Indies and Halifax, to St. Augustine and Penobscot.

But it is of moment to you to be acquainted with the political character of your country and their sentiments with respect to the faith that is due to treaties. By knowing how far you can rely upon them yourself, you acquire a degree of confidence in making engagements for them, and you can venture to pronounce upon their conduct on every trying occasion, without waiting for intelligence from this side of the Atlantic. You need not be told that the British nation, suffering themselves to be deceived by their wishes, and misled by the misrepresentations of those that were interested in the continuance of the war, have believed, or at least pretended to believe, that a majority of the people wished well to their cause. Neither our forms of governments, which gave their partizans annually an opportunity to declare their sentiments, and if most numerous to change their rulers, nor the number that repaired to their standard when hoisted in eleven of the thirteen States; neither the determinnd and successful opposition hitherto given to the forty thousand heralds, which they sent to proclaim their champion, encourage his friends, and bid defiance to his foes, had sufficed to cure them of this delusive hope. They still imagined that a few kind words would close the wounds that they had seven years been widening. General Carleton was sent over to speak to them. So little doubt had he that they would be well received, that he was about to send out Mr. Morgan, his Secretary, without soliciting a passport, and was much surprised when Colonel Livingston, who was then a prisoner, informed him that he would be stopped at the first post; and still more so, when upon a subsequent application, he found that Congress refused to have any intercourse with him; and referred all negociations to Europe, where they could treat in conjunction with their allies.

But nothing serves more strongly to show the little confidence the people of this country have in the promises of Great Britain, and

their fixed determination not to break their engagements with their allies, than the resolutions passed on the subject by the respective Legislatures without consulting each other, and independent of directions from Congress; it proves beyond contradiction, to those who know how our Legislatures are formed, and the frequency of their elections, that these sentiments are the sentiments of the people; and that, too, at a time when they most sincerely wished for peace. If any thing was wanting to give the last blow to British credit in this country, it was their late change in their Administration; from which Mr. Fox and others are excluded, for avowing the sentiments that their Commissioners, Digby and Carleton, solemnly pronounced in a public letter to be those of their Sovereign.

The other general objects, which it is necessary for you to be acquainted with, are the commerce, the finances, and the government of this country. The first suffered considerably in the beginning of this year, by the great vigilance of the British cruisers, but has since been very flourishing and successful. None of those wants are known which prevailed at the beginning of this controversy. Our stores and warehouses are amply supplied with every thing that can administer to the necessities or luxuries of the people. The West Indies and Europe furnish a ready market for all we raise beyond what is necessary for our own consumption. The embargoes and restrictions which were once thought necessary to enable us to obtain a scanty supply for our army, have been unknown among us for three years past; and yet a most ample provision has been made both for our troops and those of our allies. Our trade with the Havana has furnished considerable sums in specie; paper is entirely out of circulation, if we except the bank paper, which, being payable at sight in specie, is equal to it in value. So extensive has this circulation been, that the managers not long since published a distribution of the first *half year's* dividend at four and a half per cent., notwithstanding a variety of expenses to which they had been put, in the first organization of the bank. So that the profit upon bank stock is generally estimated at about ten per cent. per annum, which will, I should conceive, when known in Europe, be a strong inducement with many people, those particularly who have thoughts of coming to this country, to lodge their money here.

I would not, however, have you think the flourishing state of the bank (which is the property of a private company under the protec-

tion of Government) a certain indication of the happy situation of our own finances. This is by no means the case. The demand for money to replace the property which the enemy have destroyed, to repair buildings, and the profits which commerce yields, together with the difficulty of forming new systems of taxation in a country which has hitherto scarce known a tax beyond what was necessary for the support of its own frugal governments, renders the collection of a direct tax extremely difficult. Duties and excises must be levied upon some general system, so as to prevent one State from depending on another. This has been attempted by a five per cent. duty on all imports, but it has hitherto been defeated by the refusal of Rhode Island to come into the plan. Congress are about to send down a committee of their own body to urge them to a compliance with this measure. Should it be attended with success a very considerable revenue will arise from that source. Public credit, which has so frequently tottered during the Revolution, will be established upon a firm and lasting basis.

The evacuation of the southern States, which we have reason to believe has taken place by this time, though we have yet received no official information of it, will greatly increase our resources. Their exports will consist in the most valuable articles at foreign markets, and must occasion such an influx of wealth as will enable them to contribute to the public expenses, which they have hitherto been, in a great measure, incapable of doing.

Before you left this, I believe most of the States had formed their governments. Massachusetts has since completed hers upon plans similar to those of the other States. That of New Hampshire is printed for the approbation of the people, and I am told will shortly be agreed to.

The causes which occasioned a temporary suspension of government in South Carolina and Georgia being removed, they are again in the full exercise of them, and, indeed, have been so ever since Lord Cornwallis left the latter State.

Upon this head, therefore, I have nothing to inform you, unless it be that the people appear to be perfectly happy under their new establishment; not the smallest commotion having arisen in any of the States from discontents on this, or, indeed, on any other ground, if we except an attempt which was made by an inconsiderable party in one county of Massachusetts to prevent the collection of debts

till the termination of the war. This was instantly suppressed by the punishment of their leader. Indeed, this trifling matter was so little attended to here, that I should not have thought of mentioning it if I had not seen that they had magnified it in England into a revolt of the New England States against the government of the Congress. A letter from a Dr. Walter, who I believe was originally of Massachusetts, is printed as a voucher for this impudent falsehood. As British emissaries may endeavor to circulate this with you, where they have an interest in deceiving, I concluded it proper to furnish you with the means of refuting it.

Your knowledge of the Continental forms of governments leaves me nothing to say on that head. It will, however, give you pleasure to be informed that the great Council is at present as respectable for numbers, integrity, and abilities, as it has been at any time during the war, and I believe much freer from party spirit or partial views. Add to this, they have acquired an experience in public business which they could not but want at first. I would not have you infer from this that the old members are always continued; this is far from being the case; but as the new delegates are generally elected from the number of gentlemen who have held important offices in their respective States, they bring with them that knowledge and habit of business which they acquired at home. The establishment of Ministers for the great executive department (a regulation which has taken place since you left us) has been found to be productive of very great advantages. Congress are no longer troubled with those little details which used to take up their time. The business brought before them from those Departments is digested before it comes up, and they are not now obliged to wade through a variety of unnecessary circumstances to come at what merits their attention. You are personally acquainted with the Ministers of Finance and War, so that I need say nothing relative to the character of either. Their conduct gives general satisfaction; and Mr. Morris's attention, abilities, and personal credit have done much towards relieving that of the United States.

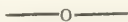
As this revolution makes a new era in the history of man, which furnishes no other instance of a whole people's uniting to form governments for themselves and their posterity, I have thought it would not be unacceptable to the philosophic mind of the Empress of all the Russias to contemplate the first rudiments of these govern-

ments, which may hope, after the example of her own dominions, by an assiduous application to the arts of peace and war, to obtain an elevated station among the nations of the earth. I have, therefore, directed to your care a packet containing the confederation and such of the constitutions of the respective States as have been hitherto printed.

Thus, sir, I have endeavored to give you a general view of our situation. In return for which I must pray you to be more minute in your information of what passes with you. I have already explained to you the objects on which I wish you particularly to enlarge. None of your letters have embraced those objects. I would recommend it to you to keep a journal of every remarkable event, to minute down every conversation you have upon political subjects, and to digest them weekly into a despatch for us; adding thereto a sketch of the character and station of the person whose sentiments you give. I know, sir, that this will be attended with some trouble; but I know, too, that you will have no reluctance to impose any task upon yourself which the duties of your station render necessary.

I am, sir, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

St. Petersburg, December 21st, 1782.

Sir,

I had the honor of your letter of the 18th of September, last week, in which you acknowledge the receipt of mine of March 30th, but add that the one of March 5th has never reached you. I am at a loss how to account for the failure of that, when a copy of it accompanied the other.

I am glad to learn the observations I sent you upon the trade of this Empire have been deemed at all pertinent, and have afforded any useful hints, as well as that the state of its connexion with the Porte has not been wholly uninteresting. If you have received my other letters in course, you will find I have not been silent upon the particular subjects you mention, and upon which you want information, nor altogether an idle spectator of events; although to this moment I have not had any conferences with either of her

Majesty's Ministers, or taken any official step, yet I have constantly endeavored to clear up all misrepresentations of every kind, of our enemies or others, in a channel which I have reason to believe has had a good effect. I am assured that all alarms about a dangerous concurrence in commerce, which had been artfully raised to serve particular interests, are perfectly quieted, and that it is now also believed that a free and direct commerce between this Empire and America will be highly beneficial to the former. A sketch of the arguments made use of to these ends you will find in my preceding letters.

As to the great point of our independence, the armed neutrality sprung out of it, and the propositions of the mediators were built upon it. These sentiments were expressed in my first letters from hence to the President, have since been repeated in several of my letters to you, and I have never seen occasion to change them. I have never troubled the French Minister with any conversation upon the subject you allude to since that I first detailed to Congress, except when I thought some important change had taken place in the state of affairs, such as the capture of Lord Cornwallis and his army, when the Parliament passed their several resolutions respecting the American war, preceding the change of the old Ministry, when Mr. Fox communicated to this Court a new proposition relative to the mediation, the substance of which was, "His Britannic Majesty says that he does not prejudice, nor will he prejudice, any question whatsoever, and that he does not pretend to exclude any one from the negotiation which is had in view who can be supposed to be interested in it, whether it may be a question respecting the States-General or the American Colonies;" and finally, when I had authentic intelligence that a commission had passed the great seal to authorise Mr. Oswald to treat of peace with the Commissioners of the United States. On all these occasions I consulted him freely, but found him, as I had expected, invariably against the measure I proposed to his consideration, always assigning the old reasons in support of his advice. My sentiments upon the last most important change you will have in my last letter, three copies of which are forwarded to you.

Persuaded that the system of this Court, so far as it respects Great Britain and the United States, is such as I have pointed out heretofore, but more particularly in my last, I should not despair

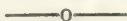
of bringing them from that chosen ground by communicating our propositions at this moment. The United States have acquired too much consideration in Europe to be lightly offended by any Sovereign, and I do not believe the illustrious Sovereign of this Empire has the least disposition to offend them. If, therefore, the question was brought before her, Shall we admit or shall we reject their propositions? in my opinion they would not be rejected. Upon what ground could a rejection be founded at this time? When the Parliament of Great Britain had long since declared, in the face of the world, their utter inability to conquer any one of the United States, and have even made the attempt itself criminal, by resolving that the Minister who should advise it, or the General who should obey an order to that effect, should be deemed enemies of their King and country; when they had passed an act to enable the King to make a peace or truce with America; when their military commanders in America have published under their hands, from authority, that their Sovereign had commanded his Ministers to direct Mr. Granville that the independency of America should be proposed by him in the first instance, unshackled with conditions; and when another of his Ministers (Mr. Oswald) is in fact in treaty with the United States as with an independent sovereign Power, in virtue of a commission passed in form under the great seal of the Kingdom, could it be plausibly alleged that an acceptance of our propositions, or the admission of your Minister at this Court, would be a breach of the most scrupulous neutrality? If not, is not our way clear? But, as it is a possible case, let it be supposed that after all this our propositions would be rejected, and your Minister denied an admission into this Court, and that, in consequence of it, he should immediately retire from the Empire. Under such circumstances which would have suffered most, the honor and dignity of the United States, or the honor and dignity of this Sovereign? Besides, to remain masked at such a moment, does it not seem to argue a self-conviction that we are unworthy that rank among the nations of the world which we have so justly assumed and so bravely maintained?

I should not have time to copy this letter if I should enlarge upon this subject; and enough has, perhaps, been already said upon it to point out fully the reasons which would induce me, if I was at liberty, to make an immediate communication of my mission to this Court.

You may be assured, sir, the cause of America has lost no ground here, and that the impression of our Revolution has been irresistible throughout all Europe. We have nothing to fear from any quarter, even if the present negociation should be broken off. In such a case, we shall have only to lament that we did not seize upon the advantages which the moment presented to us. The letter of General Carleton and Admiral Digby, which you enclosed and desired me to have published, had been published before in the principal gazettes of Europe.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, December 27th, 1782.

Sir,

Though neither the French Minister nor myself has any intelligence of it from Paris, yet yesterday's post brings through several channels an account that the preliminaries for a general peace were signed on the 1st of this month. Thus there is an end to the great contest in which we have been engaged; and with regard to myself, every one will now agree that all obstacles are removed. I expect, therefore, soon to take my proper station at this Court, and to be engaged in the business of making a commercial treaty with her Imperial Majesty.

But I shall find an impediment in this business not to be surmounted, if Dr. Franklin and Mr. Adams should not be able, or think themselves authorised, to advance the cash mentioned in my former letter, for which purpose I wrote to them as soon as the negociations were commenced, at least as soon as intelligence of it reached us here. It is not time yet for me to expect their answer.

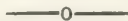
I have heretofore acquainted you that I proposed to return to America as soon after I should be received at this Court, as our commercial treaty should be finished. It would be less justifiable for me to quit this Court before the completion of that treaty, because the Minister who might succeed me would probably want that information relative to the commerce of this Empire which I may have acquired by my long residence here. I still continue of the same mind, and will now assign my reasons for it, when it will

certainly be too late for any one to consider them in the light of a solicitation for my own benefit. Congress have been pleased to honor me with the same rank in the diplomatic corps which they have conferred upon their Ministers in Europe, viz., that of a Minister in the second class, and though this is unquestionably the most expensive Court at which they have any Minister, they have thought fit to reduce my appointment to three fifths of that granted to their other Ministers. It is the same which the *Chargé d'Affaires* of Spain had, of whom it was not expected that he should hold a house and a table, as it is of the other Ministers. I have lived here long enough to see that it will be absolutely impossible for me to sustain the indispensable expenses of my rank with an appointment less than that of our other Ministers in Europe. If there was, therefore, no other motive to influence my determination, that alone, I have no doubt, Congress will admit for my full justification.

For their particular information, I have endeavored to procure an account of the appointments of all the foreign Ministers residing at this Court, but have not yet obtained it. I can only say with regard to the Minister of Sweden, who has a Secretary to his Embassy, that his appointment and allowance for his house rent, exclusive of some other benefits, amount to more than double my appointment, including every thing I can charge agreeably to what I suppose to be the intention of Congress. I will send the abovementioned account as soon as the gentleman who has promised to procure it for me shall furnish me with it.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, December 30th, 1782.

Sir,

Yesterday's post has not brought us any further news respecting the peace. The French Minister has received no account of it yet, nor have I from the Commissioners. No one, however, doubts that the preliminaries are in fact signed. It is supposed no courier will be despatched with them till after advice shall have been received at Paris that an account of it has been communicated to Parliament,

which were to meet on the 5th instant. The particular articles are not *certainly* known here. This is the present state of things, and we anxiously wait for full information.

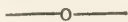
As we can have no interests now depending upon any contingency, I think it would not be advisable to appear very eager to seize upon the first occasion to make the communication of my mission, but to wait, if they be not too long delayed, for the answers of Dr. Franklin and Mr. Adams to the application I have made to them, as mentioned in several of my letters, when I shall know what I have to depend upon touching the principal object of my mission, and can better govern myself as to the communication of it. For to speak of a matter about which I am unable to do any thing, would be to place ourselves in a disagreeable condition.

I expect to find a strong inclination to come to the business alluded to, for reasons which will be very obvious to you. The commercial treaty with Portugal is not yet finished. Sweden has one upon the carpet. There may be an advantage in waiting till these are concluded, as we may found ours upon them. I shall give a preference to the commercial treaty, and endeavor to postpone the other, in which we can have no present interests, until I shall receive the instructions of Congress, after they shall have been advised, by my letter of September 5th, of what is essential to the execution of it. There is something besides to be distributed among the subalterns of the Chancery; so that upon the whole, both treaties will cost us between nine and ten thousand pounds sterling. An enormous sum, especially when it is considered that they are intended to promote the mutual interests of the contracting parties. But so we find the state of things here. And it is not to be expected that any difference should be made in our favor, and perhaps it would not be consistent with our honor that there should be. We have only then to consider whether it is expedient for us, under such conditions, to form those connexions with the Sovereign of this Empire. As to the first, I have no doubt of its expediency, the last is somewhat equivocal, unless the omission of it should not be well received by her Imperial Majesty, who would doubtless be much gratified by our ready acceptance of her invitation to accede to it, and seems to have a right to expect it of us after the resolutions of Congress respecting that subject. It is an expense which, once made, is made forever, and under these views it may be deemed

a bagatelle, or at least necessary to the promotion of our greatest interests.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, January 3d, 1783.

Sir,

Our impatience respecting the state of a negotiation is not yet at an end. No courier has arrived, nor have I received any intelligence by yesterday's post (the third which has come on since our first accounts) upon the subject from either of our Commissioners. The French Minister continues in the same uncertainty. By private letters, and the gazettes brought by the last post, it appears only that the preliminaries between Great Britain and the United States were signed conditionally. I rest, therefore, in the same state.

Since my last, I have seen a copy of the treaty of amity and of commerce between Russia and Denmark, and find that the chief principles of the marine convention are inserted into it word for word. The treaty is limited to *twelve* years, which will probably be the term fixed for the duration of all their commercial treaties. That with Great Britain was limited to *twenty*, a term it would seem sufficiently short to provide for the changes which time and accidents may introduce into the affairs of empires. You will easily conjecture from some of my letters, the motive which must have occasioned this alteration, and will make your own reflections upon it.

Upon a more careful examination upon the marine convention it appears to me from its nature, as well as from its terms, to be limited to the duration of the present war, and in that case, there is no other way of taking up its principles than in a commercial treaty, after the manner of that with Denmark. Lest you should not have an accurate copy of that convention, I will cite the article upon which I form my opinion.

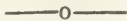
“ARTICLE IX. This convention, fixed and concluded for the time of the continuance of the present war, shall serve as a basis of the engagement which future conjunctures may cause to be contracted, and on occasion of new maritime wars with which Europe may unfortunately be troubled. These stipulations ought to be regarded

as permanent, and shall be the law in matters of commerce and navigation."

On this supposition I shall proceed in framing our treaty of commerce. This will make an essential change in the matter mentioned in my last. I have not yet received an answer from Dr. Franklin or Mr. Adams upon that subject.

I have the honor to be, &c.,

FRANCIS DANA.



TO THE COMMISSIONERS OF THE UNITED STATES AT PARIS.

St. Petersburg, January 14th, 1783.

Gentlemen,

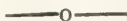
I was honored with your favor of the 12th of December by the late post, enclosing a copy of the preliminary treaty of peace between his Britannic Majesty and the United States. I most heartily congratulate with you upon this great event, in which you have had the honor of so distinguished a part. I think that we ought to be, and shall be, satisfied with the terms of peace. But we are here wholly at a loss whether the other belligerent parties will be able to adjust their several pretensions, and of course, whether our treaty will take effect. The prevailing opinion here among the best informed is that we shall have a general peace. However this may be, we shall see a war break out on the other side Europe. Some of the Powers which will be engaged in it do not wish to see all the present belligerent Powers at peace, for reasons which will readily occur to you.

I thank you, gentlemen, for your opinions respecting the communication of my mission to the Ministers of her Imperial Majesty, and of the other neutral Powers residing at this Court. But "absolute certainty of success" are strong words, and will bind me down to a state of inaction till the conclusion of the present war, unless I should receive positive assurance that things are prepared for my reception, of which I have no expectation. I have yesterday consulted the French Minister upon this matter, and acquainted him at the same time with your opinions, as well as communicated to him the preliminary treaty. He thinks that though in this moment I might not meet with a refusal, yet my admission would be, upon various pretences, postponed till advice should be received here,

whether we are to have peace or war, a question which it is expected will be decided, at furthest, in the course of a fortnight, and that if the war should be continued, I should *not* be received. Thus I am doubly bound down, as above, during the war. If unfortunately the negotiations should be broken off, it is my present determination to retire from this Court without communicating my mission, and to return by the first opportunity to America. I cannot think it for the honor or interest of the United States, after what has already taken place between them and his Britannic Majesty, that I should wait the issue of another campaign. I am persuaded we have nothing to fear from this quarter in any event. If they will not improve a fair occasion which is presented to them to promote the mutual interests of both Empires, they may hereafter repent it.

I am, gentlemen, &c.,

FRANCIS DANA.



TO JOHN ADAMS.

St. Petersburg, January 15th, 1783.

Dear Sir,

The post of this day has brought me your favor of the 22d ultimo, in which you acknowledge the receipt of mine of the 25th of November. In the first place, let me thank you and the Doctor for the ready manner in which you have consented to my proposition. You say my treaty may now be made *as soon as I please*. I should rejoice most sincerely if that was the truth of fact.

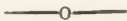
Besides what is said in my letter to the Commissioners, you are acquainted with the positive nature of my last instructions, and know that I cannot move till I am advised to do so. There are, in my opinion, no plausible pretences to countenance a refusal at this time. It would mark so strong a partiality as would throw all the dishonor of it upon her Imperial Majesty. Yet things are conducted here in so strange manner, that I cannot take upon me to say with certainty what would be the effect of an immediate application. You will readily agree that, all things considered, it would be taking too much upon myself to make it. The Ministry are well enough informed of my business, yet they preserve a most profound reserve, which I think is as impolitic as profound. Do you ask me if they do not feel and see that America is independent? That they must

soon speak it out? Will they wait till the moment shall arrive when the United States will not thank them for doing so? Will they suffer all the other neutral Powers to take the lead of their Sovereign in a measure in which she might lead them with so much glory to herself? Yes, I believe all these questions may be answered in the affirmative.

Do you ask how is this to be accounted for? I can say, in general, they are looking for glory towards the east only, when they might find no inconsiderable proportion of it in the west.

I am, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, January 15th, 1783.

Sir,

The post of this week brought me a letter from our Commissioners, accompanied with a copy of the preliminary treaty of peace between his Britannic Majesty and the United States; but we have not yet any certainty about the state of the negociations as they respect the other belligerent Powers. On this point the Commissioners have been totally silent. They have, however, given it as their opinions, judging of things at that distance, "that the present opportunity appears to be the most favorable for me to communicate my mission to the Ministers of her Imperial Majesty, and to the Ministers of the other neutral Powers residing at this Court."

I immediately communicated the preliminary treaty to the French Minister, (which he had not received,) and also the opinion of our Commissioners; and prayed him once more to give me his sentiments upon the subject. Which in substance were, that though I might not now meet with an immediate rejection, yet the granting me an audience would be postponed upon various pretences, till the issue of the negociations should be known here, and that if the war should be continued, I should *not* be admitted to an audience. Having his opinion so fully upon this point, there can be no question but that it is my duty to wait the issue of the negociations. You will be acquainted with this nearly as soon in America as we shall, and all my letters upon the subject will, of course, arrive long after

the objects of them have ceased to engage your attention, yet you may wish to know the progress of things in this quarter.

A new and an important scene seems to be opening upon us. Though the Porte has not interfered in the affair of the restoration of the deposed Khan of the Crimea, yet this forbearance, it is thought, will not save them from the tempest which is gathering about them. The Tartars of the Crimea have been the constant enemies of Russia from the commencement of the fourteenth century to the last war with the Turks, when, in the year 1771, being overpowered by the Russians, they concluded a separate treaty with the Empress, in which they renounced their alliance with the Porte, and placed themselves under her protection. This independence of the Crimea, and of the hordes dependent upon it, was confirmed by the treaty of 1774, between Russia and the Porte, and their right of electing and deposing their Khans at will engaged to them; though it was of importance to Russia to reinstate the deposed Khan, thereby to preserve its newly-acquired influence over the Crimea, yet his restoration was probably not the only object in view.

The existence of the connexion mentioned in my letter of March 30th, seems no longer to be doubted, or that the object of it (which you will find in the first clause of the paragraph relative to it) will be productive of a general war in Europe, if attempted to be carried into execution. How far such an apprehension may influence the present negotiation is uncertain. I think it must be unfavorable to them, should the negotiations be unhappily broken off, and the prospect of this new war become certain, we being the ally of France, which will be the enemy of her Majesty, and the enemy of Great Britain, which will be her ally, it will be expedient for me to quit this Empire, and to return to America by the first opportunity. Even upon such a supposition, I hope my long residence here will not have been wholly unserviceable to our country.

I have the honor to be, &c.,

FRANCIS DANA.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, January 31st, 1783.

Sir,

We still remain in the same uncertainty about the negotiations of

the other belligerent Powers, yet they are believed to be in a favorable state, and it is expected we shall soon receive the news of the preliminaries being signed by them all. If so, I should think the approaching war with the Turks will not be productive of a general war in Europe. For it seems repugnant to the interests of some of the present belligerent Powers to close this war with an almost certain prospect before them of being speedily engaged in another.

In a letter received by the last post from Mr. Adams, he informs me that Dr. Franklin and himself had agreed to advance the money necessary to the conclusion of a commercial treaty with her Imperial Majesty; so that I have now only to wait the issue of the present negotiations for peace. Whenever that moment arrives, I shall endeavor to make all convenient despatch in the business of the treaty, to the end that if any of our vessels should arrive here early in the spring, which seems probable, they may reap the benefit of it. I shall immediately after return to America, as I have proposed to do in my letter of the 23d of September last. I do not foresee any inconvenience that will happen to our interests in consequence of our being without a Minister at this Court for some time. I hope, therefore, that Congress will not take it amiss that I should return without obtaining the express permission for it. Besides the reasons given in my letter of the 27th ultimo, which appear to me to render such a step necessary, my health has suffered so much since my coming into this climate, that every consideration presses me to quit it as soon as possible. I have not been honored with any letter from you since No. 6.

I am, with the greatest respect, &c., FRANCIS DANA.

—O—

TO ROBERT R. LIVINGSTON.

St. Petersburg, February 10th, 1783.

Sir,

In the afternoon of the 6th instant, we received the most agreeable news that the preliminary treaty of peace was signed at Paris on the 20th ultimo, between France, Spain, and Great Britain. The articles are still unknown here, as the above fact simply was communicated by Count de Vergennes to the foreign Ministers at Versailles, and the Russian Minister immediately despatched an

account of it to the Vice Chancellor, Count Ostermann. No courier has yet arrived for either of the foreign Ministers here.

You will be pleased to accept my most hearty congratulations upon this great event, especially as the peace we have obtained is both honorable and glorious. America, I believe, stands high in the esteem of all the world ; to which not only her successes in this great Revolution, but the proofs she has given in the course of it of her sacred regard to her plighted faith have contributed. Our Revolution is universally spoken of as the most important which the world has ever seen. Its influence penetrates the innermost recesses of every Cabinet in Europe ; they will and they must give way to it.

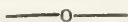
It is yet difficult to say what will be the effect of the present peace upon the approaching war with the Turks. Though it will not probably prevent it, yet it may moderate its views towards that quarter, and thus save the continent of Europe from the mischief of a general conflagration. I shall communicate my mission to the Vice Chancellor as soon as some necessary arrangements can be made, and shall endeavor to bring on the business of the commercial treaty without loss of time, as there is now little doubt but some of our vessels may arrive here early in the spring. I have it in view to procure some special favors for a direct commerce between the West Indies and this Empire, to be carried on by our vessels, which will turn to the advantage of both parties. But to render it more certain, it may be necessary to procure a right of trading freely with the British West Indies, and also exporting from thence in our vessels to any part of the world the productions of their islands, paying the same duties as their native subjects pay upon the same articles when they export them for Great Britain or elsewhere. I think we may obtain this privilege in our commercial treaty with Great Britain, if we insist upon it. Our treaties with France and Holland appear to me to be exceedingly defective respecting a commerce with their American territories. If Great Britain should refuse us that privilege, we might perhaps arrive at the same end by reserving to ourselves a right to impose what extra duties we judge proper, either upon our productions exported to any part of her dominions, or upon her productions imported into America, if any higher duties should be imposed upon her West India productions when exported by us than when by her native subjects, notwithstanding any general clause giving her the advantages of the most favored nations.

The object appears to me to be of importance to our interests, and that we can obtain it in the manner I first proposed, (which would be the most beneficial and least liable to create mutual disgusts,) if we should think proper to make it the *sine qua non* of a commercial treaty with Great Britain. We should reap advantages from it, not only in our commerce with this Empire, but with every other in Europe not having such establishments in America.

Now I am upon this subject of commerce, I will take the liberty to acquaint you that Portugal intends to procure the right of establishing factories in the United States, under the protection of the Oporto Company, in order to secure special advantages for the sale of her wines. This plan will not be particularly mentioned, but the end will be obtained under the general right of establishing factories in America without naming the Oporto Company. You may rely upon this information, and will make your advantage of it. It will occur to you that we may demand as a compensation the right to export not only from Portugal, but from the wine islands, that article in our vessels, paying the same duties as the native subjects or the Oporto Company pay upon it. Without something of this sort the Portuguese factories might secure to themselves almost the exclusive supply of their wines to America. They have a factory here under the protection of the Oporto Company. You will not take it amiss that I suggest these subjects to your consideration. If any of them can be turned to the benefit of our country, my end in troubling you with them will be answered.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, February 25th, 1783.

Sir,

In the last letter I did myself the honor to write you, I acquainted you I should communicate my mission to the Vice Chancellor as soon as some necessary arrangements could be made. Being entirely prepared to do so, I thought it but decent to communicate my intention to the French Minister, rather in the form of consulting him upon the expediency of the measure. He at first thought it

would be advisable to wait till the signing of the definitive treaty of peace, adding, that though he could not take upon himself to say that I should not be received in the present moment, yet that it would not surprise him if my admission should be postponed to that time, intimating that the present unsettled state of affairs (of which I have spoken in my late letters) might have some influence upon the determination of this Court in a matter of that sort. He concluded with saying that it would not be amiss to wait till the British Minister here should have communicated in form the signature of the preliminaries of peace to this Court. I shall conform entirely to his advice: for the time is now most certainly indifferent as to our interests, which are most solidly established by the peace.

I cannot add any thing to what I have before said respecting the Turkish war, which, since the conclusion of the late one, is the grand object which engages the general attention. According to the course of business here, I expect to be detained two or three months in negotiating our commercial treaty. I hope, however, the resolution of Congress of the 14th of September last, respecting their moneys in Europe, (a copy of which Mr. Adams sent me by the last post,) will not be any impediment to the conclusion of it. The money Dr. Franklin and Mr. Adams have engaged upon my application to them to advance for that purpose being indispensably necessary, I presume they will not withdraw the credit they have given me, and that Congress will approve of their conduct, as well as of mine, in this business. The resolution is doubtless a wise one, but there are circumstances for which Congress cannot provide in season, and this seems to be of that nature. If those gentlemen should not, therefore, withdraw their credit, I shall venture to apply the money, when it shall become necessary, to the use for which they have granted it. It would be a great satisfaction to me if I could receive in season an answer to my letter of the 25th of last August, in which I acquainted you I should stand in need of the money.

I shall not fail to give you the earliest intelligence of my reception in this court, which I hope will not be long delayed, as it is my earnest wish to complete our treaty of commerce, and to return to America in the course of the next summer.

I have the honor to be, &c.,

FRANCIS DANA.

Mr. Dana's Communication of his Mission to Count Ostermann.

St. Petersburg, March 7th, 1783

Sir,

I have the honor to inform your Excellency that the United States of America, assembled in Congress, having thought fit to appoint a Minister to reside near her Majesty, the Empress of all the Russias, have furnished me with their letter of credence for that purpose.

Convinced of the justice of their cause, and confiding entirely in that exact neutrality which her Imperial Majesty had been pleased to declare, with a dignity becoming her character, she would make the invariable rule of her conduct, unless compelled to depart from it in maintenance of the rights of her Imperial Crown and of her subjects, the Congress, my Sovereign, have expressly commanded me to delay the communication of my mission till the course of events should prepare the way for it, without the least infraction upon the system adopted by her Imperial Majesty, by which she has acquired so much glory to herself. In the sentiment that that moment has now arrived, I take the liberty to request the honor of an audience of your Excellency, to the end that I might present to you a copy of my letter of credence to her Imperial Majesty.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT B. LIVINGSTON.

St. Petersburg, March 7th, 1783

Sir,

I have time only, by the post of this day, to acknowledge the receipt of yours of the 7th of November last, and of a letter of the same date from Mr. S. R. Morris, one of your Secretaries, enclosing a bill for 666 13 livres Tournois, and also to inform you that I have this day communicated my mission to the Vice-Chancellor Count Ostermann, by a letter of which the enclosed is a translation, the original being in French. I have taken this step without being advised so to do by my correspondent, the Marquis de Verac, but not before I had received assurances directly from the private Cabinet of her Imperial Majesty, that the way was perfectly clear. You will readily conjecture the reason why I have chosen to mention my last

instructions so particularly in this communication, and placed them in so strong a light. There is no question in my mind of the propriety of doing this, and I hope it will not be thought amiss by Congress, whose honor and dignity I shall ever keep in view.

I am, with much esteem and respect, &c.,

FRANCIS DANA.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, March 12th, 1783.

Sir,

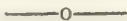
In my letter of the 7th of March, I acquainted you that I had that day communicated my mission to the Vice Chancellor, in consequence of assurances received from the private Cabinet of her Imperial Majesty, that the way was prepared for it. I had an interview on the 5th instant with one of the members of the Cabinet, who informed me, after some general conversation respecting America, that I might communicate my mission to the Vice Chancellor at any time, that possibly I might not receive an immediate answer to my letter, but that I need give myself no uneasiness on that account, as the delay would not be occasioned by any thing which concerned the United States or me personally. I told him that I could form my opinion only upon general principles; that judging upon them, I did not perceive any obstacle to her Majesty's receiving in this moment a Minister from the United States; yet it was possible her Majesty might have some particular matters in view, which might form an impediment, of which I could have no knowledge.

I threw in this last sentiment to discover if there were any difficulties of the sort which the French Minister had intimated to me might arise from the unsettled state of affairs alluded to in my letter of the 25th of February, when I consulted him as there mentioned. He replied, there were no such matters, nor would there be any difficulty, especially since the signing of the preliminaries of peace had been communicated to her Majesty, and that I might make myself perfectly easy about it, and send my letter to the Vice Chancellor as soon as I pleased. I have given you the substance of our conversation, omitting only the complimentary parts of it on one side and on the other. I have this day received a verbal message from

the Vice Chancellor, acknowledging the receipt of my letter, and informing me that as this was the first week in the great Lent, he had not yet had an opportunity to lay it before her Majesty. This, sir, is the present state of things as far as they concern us immediately.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, March 21st, 1783.

Sir,

As I have not received an answer to my letter to the Vice Chancellor, I can say nothing upon it at present. The verbal message mentioned in my last was an apology for the omission of the first week; perhaps I shall have an answer in a few days; if so, I shall transmit a copy of it immediately.

I beg leave again to recommend to your attention the subject of a commerce with the British West Indies, to supply the defects of our treaties with France and with Holland. Great Britain is so eager to obtain a free commerce with the United States that we may probably secure that of her West India Islands as a compensation for it. The commerce with her European territories only, is no longer an adequate one, since we have all the rest of Europe open to us. I have formed a plan of a commercial treaty with this Empire, which, if aided by that circuitous commerce, I think will be found highly advantageous.

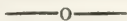
I have already advised you of my intention to quit this Court as soon as I shall have concluded the commercial treaty, even without waiting for the permission of Congress to do so. I pray you to represent the matter to Congress in such a light that they may not consider it as disrespectful to themselves, or a breach of duty. It is truly, sir, an act of absolute necessity, which Congress, doubtless without intention, have imposed upon me, by annexing an appointment to my office, which is not more than half sufficient to defray the expenses of it. As I can now do it with more freedom, not being interested in the matter, I take the liberty to acquaint you that if Congress should think proper to send another Minister to this Court, of the second class, they should grant him at least £2,500

sterling fixed appointment. I think £3,000 will not be too much, or more than put him upon an equality with their other Ministers in Europe, or the Ministers of the lesser Sovereigns at this Court, leaving him to pay his Secretary out of the last sum. It will be further necessary to grant him at least £1,000 more for his equipage and household furniture. He will find it exceedingly difficult with the best economy, to provide himself but decently with those articles according to the fashion of this country with that sum. And he must, in some measure, adapt himself to this fashion or manner of living, or, in the eyes of those among whom he is obliged to live, disgrace his country.

My ideas of these matters are not extravagant. I find them fully supported by my own observations, and by the inquiries I have made respecting the appointments of the other foreign Ministers residing at this Court, as well as by the opinion of my correspondent, to whom, feeling the necessity of my situation, I have communicated my intention of returning to America, and disclosed to him the reasons of a conduct which he might otherwise think unaccountable. I have consulted him as a private friend only. An ill state of health, the distance of America, the dangers of a winter passage, &c., &c., must be the ostensible reasons why I quit this Court without being relieved by another Minister, or waiting for the permission of Congress. I shall take the whole upon myself, and hope to be justified in the measure by Congress, when they shall be still more particularly informed of facts. It is necessary Congress should be acquainted with the foregoing facts, that if they should think proper to send another Minister before my arrival in America, he may not be obliged to follow the example I shall have set him by quitting his station without leave.

I am, sir, with the greatest respect, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, April 17th, 1783.

Sir,

My letter of the 7th of March will have advised you, that on that day I communicated my mission to the Vice Chancellor by a letter,

the translation of which was enclosed. By that of the 12th of March you will have a particular account of the assurances mentioned in the former, and which, together with the general state of affairs, confirmed me in the opinion that I ought no longer to delay taking that step. I have not, however, yet had an answer to my letter. That the assurances I received were well founded at the time, I think, may not be doubted. What, it may be asked, has since taken place which could occasion any change? All that I know, or have heard of is, that on the 7th of February, three days after, and before my letter had been laid before her Majesty, a courier arrived with despatches for the French Minister, inviting her Imperial Majesty to mediate, in conjunction with the Emperor, at the conclusion of the definitive treaty of peace between the Courts of Versailles, Madrid, and London; this invitation was immediately accepted; that an account has been received that the King of Sweden has concluded a treaty of commerce with the United States, at Paris, or is at least in treaty with them for that purpose; that the King of France has signified to the Emperor that, since the Porte has made the concessions required by the Empress, and supported by himself, he had reason to expect all military preparations would have ceased; that he cannot regard the continuance of them with indifference, &c., &c. Add to these things, that her Majesty has been either so much indisposed, or particularly engaged, that she has not appeared at Court for more than a month past.

Whether either of these circumstances has occasioned this delay is to me as yet uncertain. I wait to see the effect of a second letter, which I propose to send to the Vice Chancellor, before I attempt to account for it. I have delayed this more than a fortnight, having been in daily expectation of an event which has not taken place, and which may have an influence in the case. I have omitted to write you by several posts, because I was in hopes all things which respect us would have been adjusted to mutual satisfaction, and I was unwilling to suggest anything to the contrary. But as Congress, from my former letters, may have expected that I might soon be on my way to America, and may perhaps name another Minister to this Court before they receive any intelligence of my reception, I think it incumbent on me to make the present communication, that they may consider the expediency of sending another till they receive a certain account of my reception.

Whatever may be the event, I flatter myself if the general state of affairs at the time of the communication of my mission be considered, and especially the assurances which were given to me, it will not be thought that I have rashly precipitated that measure. It is difficult to conceive one solid objection against the admission of an American Minister into any Court of Europe, after the acknowledgment of our independence by the King of Great Britain, and the cessation of hostilities, which of course puts an end to all ideas of neutrality.

In this instant I am informed that the event above alluded to has taken place. I shall therefore send my second letter to-morrow, a copy of which I will forward by the next post, when I hope to have an answer to my first, which will make known the pleasure of her Majesty concerning my mission. I have purposely avoided waiting upon the Vice Chancellor in person, that I might obtain his answer, if possible, in writing. When I shall have received it, whether it be favorable or not, I shall desire an interview with him. In this course my correspondent agrees with me in opinion. I have only to pray Congress would be pleased to suspend their judgment upon this matter, and particularly upon my conduct in it, till they shall be fully informed of facts. All may yet end as we wish, it may end otherwise.

I have the honor to be, &c.,

FRANCIS DANA.

P. S. I make use of the cypher I sent you by Mr. Adams's son, having laid yours aside for the reason there mentioned. Your printed one has not come to hand with your letter. Count Panin died since my last, much lamented. He had long lived a retired life in the city. His death, therefore, makes no change.

F. D.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, April 22d, 1783.

Sir,

In my last I acquainted you that I proposed to send a second letter to the Vice Chancellor the next day. I did not do it, however, till yesterday morning, when he sent me his compliments, and

said he would present it to her Majesty. The following is a copy of it :

To Count Ostermann.

“ I did myself the honor to write to your Excellency on the 7th of March, to inform you of my mission on the part of the United States of America, to reside near her Imperial Majesty in the character of their Minister, and to request the honor of an audience of your Excellency, that I might present to you a copy of my letter of credence to her Imperial Majesty. I have not yet been honored with an answer to my letter, having had only a verbal message from your Excellency on the 10th of the same month that you had received it, but it being the first week in Lent, you had not had an opportunity to lay it before her Imperial Majesty.

“ After the King of Great Britain has in form acknowledged the independence of the United States of America, and concluded a provisional preliminary treaty of peace with them, which has taken effect by the signing of the preliminary treaty of peace between their Most Christian and Britannic Majesties, after those treaties have been ratified on the part of their Majesties, and proclamations in pursuance thereof have been issued by them, and also by the Ministers of the United States of America, ordering a cessation of hostilities, and after the British Parliament have solemnly engaged to observe and maintain those treaties ; after such national transactions on both parts, I flatter myself it is not doubted that the course of events has prepared the way for her Imperial Majesty to receive a Minister from the United States of America without the least infraction upon the system of neutrality which she had adopted and so gloriously maintained through the late war. Presuming from your Excellency’s message that my letter was laid before her Imperial Majesty the week after, I take the liberty to request that you would be pleased to inform me of her pleasure thereupon, as well for the government of my own conduct, as for the certain information of the United States of America.

“ I have the honor to be, &c.,

FRANCIS DANA.

“ St. Petersburg, April 21st, 1783.”

I have some intimations of a very extraordinary objection, which has been suggested to my present admission into this Court, viz.,

that my letter of credence must necessarily bear date prior to the acknowledgment of the independence of the United States by the King of Great Britain. Should the answers to my communication be of that nature, I will let you know from whence I think it originates. But I shall think it my duty to leave this Court as soon as possible. For I should not dare to apply to Congress to revoke their first letter of credence, and send me another bearing date since that period, for the following reasons, which occur to me at once :

1st. Because it would be to desire the United States to strike off seven years of their existence as free, sovereign, and independent States.

2dly. Because their compliance with it would, in effect, annul their resolution contained in the declaration of their independence, viz., "that as free and independent States they had full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

3dly. Because it would imply on their part that they owed their existence as a free nation to the acknowledgment of their independence by the King of Great Britain.

4thly. Because as a consequence of this last position, it would go to annul all their acts of sovereignty prior to that period, and among others, the most important ones of their treaties with France and Holland, as well as their commissions granted to their Ministers at the Court of Madrid and other Courts, and such treaties as they have already made, or shall hereafter make in virtue thereof.

5thly. Because the requisition of new letters of credence bearing date since the period abovementioned, involves in itself a decision on the part of her Imperial Majesty, that the United States of America ought of right to be considered as a free, sovereign, and independent Power, but in virtue of the acknowledgment of them as such by the King of Great Britain.

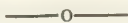
6thly. Because the granting of new letters of credence would amount to a confession on the part of the United States of the justice of such a decision.

7thly. Because a compliance with such a requisition would, in my opinion, in every point of view, be highly derogatory to the dignity of the United States, and is a sacrifice which circumstances by no means require to be made.

But I hope for more wisdom, justice, and impartiality from her Majesty; and that I shall receive in a day or two, a satisfactory answer to my first letter.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, April 25th, 1783.

Sir,

In consequence of my second letter to the Vice Chancellor, of the 21st instant, he sent me a verbal message with his compliments on the 23d in the morning, and desired to see me at four o'clock in the afternoon. I waited upon him accordingly, and had a conference with him upon the subject of my mission. He began by saying that he had received the letters I had done him the honor to write him; that her Majesty had been invited by the Courts of Versailles, Madrid, and London, to mediate in conjunction with the Emperor at the conclusion of the definitive treaty of peace between them; that till those affairs were arranged, and the definitive treaty signed, her Majesty could not consistent with her character of mediator, receive a Minister from America without the consent of those Powers; that the treaty of America was provisional only, and dependent upon those arrangements; and though there was no doubt but they would take place, and that the definitive treaty would be concluded, yet, till that was done, her Majesty could not consider me in my character as the Minister of America.

Here he made a long pause, as if waiting for an answer, but knowing that the whole had not yet come out, I made no attempts to reply. He then added that he supposed my letter of credence bore date before the acknowledgment of the independence of America by the King of Great Britain, and asked me if that was not the fact. I told him that it must necessarily be so, as a sufficient time had not since elapsed to receive one from America. He then said, that when the above arrangements should be completed, if I should produce new letters of credence, bearing date since the King of Great Britain had acknowledged the independence of America, her Majesty would be very willing to receive me as the Minister of America, but that it would be incompatible with that exact neutrality

which her Majesty had hitherto observed, to do it before; that it would be irregular also for her Majesty to admit a Minister from a Power whose letter of credence bore date before she had acknowledged the independence of that Power; that besides, no Minister had been received from America at the Court of Great Britain yet, and that I must be sensible it would not be consistent for her Majesty to receive one before the King of Great Britain had done it. Here he stopped again; and knowing that he had gone through his whole subject, which comprises these simple matters only, viz :

1st. That her Majesty could not, consistent with the character of a mediator, as above, receive a Minister from the United States till the conclusion of the definitive treaty between France, Spain, and Great Britain ;

2dly. That she could not do it even then, consistent with the laws of neutrality, while his letter of credence bore date prior to the acknowledgment of their independence by the King of Great Britain ;

3dly. That she could not do it regularly while his letter of credence bore date before she herself had acknowledged their independence ;

4thly. That she could not do it consistently before a Minister had been received from the United States in Great Britain—

I desired him to favor me with a note containing the substance of this answer, as it was of great importance, and much, in affairs of of this sort, depended upon the very expressions; that with the fairest intentions, I might misrepresent some parts of it through forgetfulness, and that I would deliver him my observations upon it in writing for consideration when the exact state of the matter would be known. Finding, as I had expected, that he declined this, I began my reply with a preface of this sort: the answer which your Excellency has given me on the part of her Imperial Majesty is wholly unexpected, not only to myself, but to the United States. I cannot, therefore, take upon me to say any thing upon it from instructions. I beg you would be pleased to consider whatever I may say as my private sentiments; whether they will accord with those of my Sovereign, I am not certain. At this great distance, I must use my best discretion in all such extraordinary cases. I have no design to oppose myself to her Majesty's pleasure, whatever that may be, but only to make some observations upon the answer, that

if they are of any weight, they may be taken into consideration, as I have no doubt they will be. I would beg to take this occasion to express the high respect which the United States entertain for her Imperial Majesty, and their sincere desire to cultivate her friendship ; that they considered her as one of the first Sovereigns of the world, and, in a manner, the great legislator of nations by her system of neutrality which they had early highly applauded, and had made the principles of it the invariable rules of their conduct during the war ; that, animated with sentiments of this kind, they wished to give some strong proofs of a distinguished attention and consideration for her Majesty's person and government ; with this view, they had early named a Minister to reside near her, as a compliment to the Sovereign who presided over the neutral confederation with so much glory ; that he might improve the earliest occasion to display his character which the course of events should afford.

From these dispositions they were naturally led to expect, as they had intended, that her Imperial Majesty would be the first of the neutral Powers which should receive a Minister from them ; that as to the objections which had been made to my present reception, I begged leave to observe, that the present mediation differed from the former one which had been tendered by their Imperial Majesties, in two essential respects, that that was tendered during the continuance of hostilities, and that there was a proposition in it which materially concerned the United States, but in this there was no question relative to them ; that their negotiations with Great Britain had been conducted apart from those of the other belligerent Powers, and were brought to a happy conclusion. I here took up all the facts stated to him in my second letter of the 21st instant, and enlarged upon them. I added to them the bill pending before the House of Commons in the beginning of March, for regulating a commercial intercourse between Great Britain and America as between States in fact and absolutely independent ; and that the bill itself recited that the King had concluded a peace with them, and expressly declared the vessels of their citizens should be admitted into all the ports of Great Britain, as the vessels of other independent States ; that all were agreed to consider them as such. From these matters I drew the same conclusion as is mentioned in that letter.

This closed my observations upon the first article. As to the second, I went over the reasons contained in my letter of the 22d

instant to you, urging strongly the four first, but passing gently over the rest. Upon the third it was to be observed that the mode of expression "before her Majesty had acknowledged the independence of America" seemed to lead beside the matter. That there was no question in the acknowledgment of that independence. The only question was, whether her Majesty would receive a Minister from the United States, who now presents himself. The United States do not ask the acknowledgment of their independence, nor have they a wish, nor do they claim a right to impose their Minister upon any Sovereign. Every Sovereign will judge whether it is for the interest of his Empire to receive the Minister of another, and may do this without deciding upon the perfect rights of that other. This is rather what I would have said than what I did say upon that point. I could not fully advance the idea, as he several times prevented me by returning to the matter he had before spoken upon, as if he saw what I intended to say, and wished to avoid it. The fourth and last point was chiefly answered by the arguments used upon the first. I did not, however, forget the distance of the countries as the only probable cause of that delay.

Thus, sir, I have given you a clear idea of a conference which rests wholly upon my memory, and which had continued an hour, wanting a few minutes, as far as I am able to do. Other arguments occurred to me in the time which might have been urged, but I was apprehensive of obtruding too much upon the patience of the Vice Chancellor, whose view it must be considered, was rather to communicate the answer than to discuss the points of it.

An important question arises out of this state of things: What remains to be done on the part of the United States? It belongs to me only to answer what I propose to do further myself, which is to draw a memorial containing this answer, with such observations upon it as shall occur to me, tending to show the futility of the objections which have been made to my immediate reception, and to send it to the Vice Chancellor. To such a measure I am advised *on a good part*. If this answer should be persisted in, I believe it may be truly said, that the honor of the United States will not suffer by it, in the estimation of any other Sovereign in the world. It is so different from the line of conduct which some of the Powers, who are members of the Neutral Confederation, have adopted already respecting the United States, as for example, Portugal, Denmark,

and Sweden, and that which it has been intimated the Emperor was ready to adopt, (of which Mr. Adams received an account through Mr. William Lee, and which he immediately transmitted to me, and probably to Congress also,) that, if I mistake not, the effect of it will be quite of another kind. It will be seen to be subversive of the very principles upon which it is pretended to be established, and so revolting in its nature, that it is utterly impossible the United States could ever comply with it.

I plainly told the Vice Chancellor, that for myself, I could never make the proposition respecting my letters of credence; and that if I should, I had no expectation they would ever adopt it, and, therefore, my waiting here the length of time, which it would be necessary for me to learn the pleasure of Congress upon it, seemed to be useless. I cannot in any case quit this country till towards the end of May, because there is no getting out of it before by land or water. I still hope it will not be thought I have precipitated the measure at a time when, if ever it could be, the course of events had prepared the way for it, and when it shall be considered, too, that the first objection arises from a matter which took place since. As to the others, they are of so strange a nature that they could not have been expected by any one, and which no time can do away.

I am under a necessity of closing this letter without adding anything which may attempt to account for this very unexpected conduct on the part of her Imperial Majesty, otherwise I shall lose the post of the day.

I have the honor to be, with much respect, &c.,

FRANCIS DANA.



ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, May 1st, 1783.

Sir,

An opportunity will offer of writing to you by a frigate in the course of next week, when I shall be able to treat more fully the subject of your letters of December 21st and January 3d and 15th, which have been duly received, and which are now under the

consideration of Congress. This is principally designed to cover the enclosed resolution, directing your return, unless you should have commenced a treaty of commerce. But upon examining your instructions, you will find that the embarrassment you speak of with respect to the money to be paid upon signing the treaty, cannot exist under your present powers. With respect to the Neutral Confederacy, it is a treaty which is now of little consequence to us, and since we were not admitted to it during the war, we ought not to pay for admission upon a peace; besides, that it can no more be considered as a treaty with her Imperial Majesty than it is a treaty with all the other neutral Powers, whose Ministers may with equal propriety demand the perquisites you speak of. Therefore, let it be understood, that as the United States, or their servants, are above receiving the perquisites or presents, so they have not the presumption to assume such superiority over those with whom they treat as to offer them.

With respect to a commercial treaty, none can be signed by you, as your powers only extend to "communicate with her Imperial Majesty's Ministers on the subject of a treaty," &c., but not to sign it; so that you will find no difficulty upon the subject you speak of; if you should, I am persuaded that it is the wish of Congress rather to postpone any treaty with Russia, than to buy one at this day.

I have seen your letter to Mr. Morris on the subject of your salary. The mistake you mention shall be corrected. I was led into it by not having been furnished with the resolution you mention, among those relative to salaries sent me from the Secretary's office. However, it is of no consequence as yet, since the sums remitted with what you have received from Dr. Franklin will exceed the amount of your demand. You can now draw on Dr. Franklin for three quarters' salary, at one thousand pounds sterling; a fourth is enclosed in a letter from Mr. Lewis Morris to you; the last quarter's due in April will be subject to some deductions, as you will see by the enclosed resolutions transmitted you by Mr. Lewis Morris, out of that quarter. I shall pay Mr. Tracy's order, counting the commencement of the year from the date of the order.

I am, sir, with great respect, &c.,

ROBERT R. LIVINGSTON.

TO COUNT OSTERMANN.

St. Petersburg, May 8th, 1783.

Sir,

I do myself the honor to lay before your Excellency the enclosed memorial, containing what I take to be the substance of the answer to my letter, communicating my mission to your Excellency, which you delivered to me verbally on the 23d ultimo, and also the reply which I then made to it, together with some other observations upon it, which, fearing to obtrude too much upon your time, I omitted to make. The whole being thus reduced to writing, takes away all danger of mistakes on either part, and may be more deliberately and accurately considered. I hope this will be deemed a sufficient apology for the additional trouble it may give your Excellency. I pray you would be pleased to favor me with an answer to this memorial in writing, or otherwise to grant me the honor of an interview with your Excellency, that I may know the final pleasure of her Imperial Majesty respecting my mission.

I have the honor to be, &c.,

FRANCIS DANA.

Mr. Dana's Memorial to Count Ostermann.

The undersigned, named by the United States of America to reside near her Majesty the Empress of all the Russias, in the character of their Minister, has the honor to lay before your Excellency this memorial, containing the substance of the answer he received verbally from your Excellency on the 23d ultimo, to his letter communicating to you his mission abovementioned, and also his reply to the same.

The answer which your Excellency has given to him on the part of her Imperial Majesty, is unexpected not only to himself, but to the United States also; for which last reason he is unable to say any thing upon it from instructions. He nevertheless thinks it to be his duty in so extraordinary a case, which will not admit of his waiting for their particular instructions, to make use of his best discretion in replying to it. He prays, therefore, that this memorial may be considered as containing his private sentiments only. Whether they will accord with those of the United States he cannot

be certain. Sensible that it is the right of every Sovereign to judge whether it is compatible with his views, or the interests of his Empire, to receive the Minister of another; and persuaded, also, that the United States have not even a wish to obtrude their Minister upon any Sovereign, the undersigned has not the least intention to oppose himself to her Imperial Majesty's pleasure, whatever that may finally be, but only to make such observations upon the answer he has received as have occurred to him, which, from the known justice of her Imperial Majesty's character, he has no doubt will be taken into deliberate consideration, and be allowed their full weight.

He would improve this occasion to express the high respect which the United States entertain for her Imperial Majesty, and their sincere desire to cultivate the friendship of a Sovereign whose glorious reign and eminent virtues have so long fixed the attention and commanded the applause of the world. They consider her as one of the first Sovereigns of it, and in a manner the great legislator of nations, by her wise and equitable system of neutrality, which they have fully approved, and have made the principles of it the invariable rules of their conduct during the late war. Animated with sentiments of this kind, they wished to give some strong proofs of a distinguished attention and consideration for her Imperial Majesty's person and Government. With this view, they early named a Minister to reside near her, that he might improve the first occasion to display his character which the course of events should afford. From these dispositions the United States were naturally led to expect that her Imperial Majesty would be the first of the neutral Powers, as they had intended, which should receive a Minister from them.

Answer.

I. "Her Imperial Majesty having been invited by the Courts of Versailles, Madrid, and London, to mediate in conjunction with the Emperor, at the conclusion of the definitive treaty of peace between them, and having accepted that trust till those arrangements are completed, and the definitive treaty is concluded, she cannot, consistent with her character as mediatrix, receive a Minister from America without the consent of those Powers; the treaty with America is provisional only, and depends upon those arrangements.

Though there is no doubt but they will take place, and the definitive treaty be concluded, yet till that is done, her Imperial Majesty cannot consider you in your character as the Minister of America."

Reply.

The present mediation differs from the former one which had been tendered by their Imperial Majesties in two essential respects. That was tendered during the continuance of hostilities, and while the great object of the war, the independence of the United States, was still in question. It contained, also, a proposition which inseparably connected their interests with those of the other belligerent Powers. At such a time for her Imperial Majesty to have received a Minister from the United States, would have been to prejudge the most capital subject of the proposed negotiation, and most certainly repugnant to the character of a mediator, if not to the laws of neutrality. But in the present mediation there is no question relative to the United States, nor can there regularly be any made upon their interests, as they are not parties to the mediation, and consequently have no right to send their Ministers to the Congress. If, then, the United States are not concerned in any arrangements to be made under the present mediation, the matter seems to rest upon the general law of nations, and to be reduced to this simple question: whether the reception of a Minister from them at this moment would be incompatible with the laws of neutrality? If their independence is already completely acknowledged by the King of Great Britain, is not the question decided in the negative?

In the preliminary treaty, "his Britannic Majesty acknowledges the United States to be free, sovereign, and independent States; that *he treats with them as such; and for himself, his heirs, and successors, relinquishes all claim to the government, property, and territorial rights of the same, and every part thereof.*" But it is said the preliminary treaty between the United States and Great Britain is provisional only, and depends upon the arrangements to be made at the conclusion of the definitive treaty between Great Britain and the other late belligerent Powers, under the mediation of their Imperial Majesties. If we look into that preliminary treaty, we shall find that the only provision or condition contained in it is, that the definitive treaty between the parties "*is not to be concluded*

until terms of a peace shall be agreed upon between Great Britain and France." Now these terms having been agreed upon by the preliminary treaty between their Most Christian and Britannic Majesties, the preliminary treaty between the United States and his Britannic Majesty has become absolute, and the definitive treaty between them may be concluded at any time, and without waiting for the conclusion of the definitive treaty of peace between France and Great Britain. It may not be improper to remark here, that even that condition was not annexed to the acknowledgment of the independence of the United States; it was far from having been inserted into the treaty at the request of the British Commissioner. It was inserted by the Commissioners of the United States to save their faith plighted to his Most Christian Majesty. However this fact may be, it seems to be certain that neither the preliminary treaty nor definitive treaty between the United States and Great Britain can depend upon any arrangements to be made under the present mediation.

But if the case should be otherwise, it is conceived that the provisional nature of the preliminary treaty cannot affect the acknowledgment of their independence by the King of Great Britain. For although, from abundant caution, this has been inserted into the preliminary treaty of peace, yet it has never been a subject of negotiation. The United States would never submit to negotiate for their independence—their very existence. They early resolved, and have uniformly persisted in that resolution, that they would not enter into negotiation with the King of Great Britain unless, as a preliminary thereto, he would acknowledge their independence. Hence the failure of many attempts to draw them into a negotiation without a compliance with that resolution. And hence the necessity the King of Great Britain has been under to revoke a former commission granted to Mr. Oswald, on the 7th of August last, to treat with them under the name of "*certain Colonies and Plantations in America*," and of granting him a new one, on the 27th of September, in which he was authorised and required to treat of a peace or truce with the Commissioners of the "*Thirteen United States of America*, (naming them all,) *any law, act, or acts of Parliament, matter or thing, to the contrary notwithstanding*," giving them their proper corporate name and title.

Their independence being thus clearly, unconditionally, and

solemnly acknowledged by this commission, passed under the great seal of the Kingdom, as a preliminary to any negotiation, and in full compliance with the foregoing resolution, the negotiations were then, and not before, opened, and have, by the blessing of God, been brought to a happy conclusion. Their independence being once acknowledged, is it not irrevocable in its nature? If, in the moment the British Commissioner entered into negotiation with the Commissioners of the United States in virtue of his last commission, any neutral Power had declared it would consider and treat them in every respect as sovereign and independent States, and would protect the lawful commerce of its subjects with them, would this have been a violation of the laws of neutrality? If not, much less could the King of Great Britain pretend it would be so after the conclusion of the preliminary treaty with them, after that treaty has become absolute by the conclusion of the preliminary treaty between his Most Christian Majesty and himself, after a cessation of hostilities has been proclaimed by them and also by the Commissioners of the United States, and finally, after the Parliament of Great Britain has solemnly engaged to observe and maintain those treaties, which puts an end to the question, if it was ever seriously made, upon the authority of the King to make such a treaty with the United States.

In conformity with sentiments of this kind, we have seen that the Queen of Portugal, a member of the neutral confederation, and a Sovereign in the strictest amity with the King of Great Britain, has by an edict opened the ports of her Kingdom to the vessels of the United States, and promised them the enjoyment of the same hospitality and favor which the vessels of other nations there enjoy. In all probability the King of Denmark has adopted a similar line of conduct towards the United States.

Answer.

II. "When these arrangements shall be completed, and the definitive treaty be concluded, if you shall produce new letters of credence, bearing date since the King of Great Britain has acknowledged the independence of America, her Imperial Majesty will be very willing to receive you as the Minister of America. But it would be incompatible with that exact neutrality which she has

hitherto observed, to receive you while your letter of credence bears date before that time."

Reply.

This objection seems deeply to affect the rights and interests of the United States. The United Colonies, on the 4th of July, 1776, erected themselves into an independent sovereign Power. Great Britain, notwithstanding, kept up her claim of sovereignty over them, without having any in fact. The war was continued on the one part to maintain the actual possession of sovereignty, and on the other to regain that sovereignty which had been lost. Despairing of success, Great Britain acknowledges, but does not grant, the independence of the United States. The United States have not, therefore, acquired the rights of sovereignty in consequence of this acknowledgment of their independence. Their independence must necessarily have existed prior to the acknowledgment of it by the King of Great Britain. At what period, then, can the commencement of it be fixed, if not at the time when they declared themselves independent? Have they not, from the moment of the declaration of their independence, been constantly in the actual possession and full exercise of their sovereignty? Not to meddle with the matter of right, the fact is beyond all question. The undersigned thinks, therefore, it is incompatible for him to propose to the United States to revoke his present letter of credence because it bears date prior to the acknowledgment of their independence by the King of Great Britain, and to grant him another bearing date since that time, for the following, among other reasons :

1st. Because it would be to propose to the United States, in effect, to strike off near seven years of their existence as free, sovereign, and independent States.

2dly. Because their compliance with it would amount to a confession, on their part, that they owed their existence as a free nation to the acknowledgment of their independence by the King of Great Britain.

3dly. Because it would go to annul all their acts of sovereignty prior to that period, and among others the important ones of their treaties with his Most Christian Majesty, and with the United Provinces of the Low Countries, as well as their commissions granted to their Ministers at the Court of Madrid and other Courts, and

such treaties as they have already made or shall make in virtue thereof.

4thly. Because it would be repugnant to a resolution contained in their Declaration of Independence, viz., "that as free and sovereign States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do."

The United States have been induced to constitute this mission thus early solely from the laudable views abovementioned. It is singularly unfortunate, then, that the very circumstance which they intended as a mark of particular respect and consideration for her Imperial Majesty's person and Government should be turned against them, and have an operation to defeat the design of it.

Besides, it is to be observed, that the King of Great Britain has, by his Commissioner, consented to treat with the Commissioners of the United States, whose powers had date long before he had acknowledged their independence, and without requiring them to produce new ones bearing date since that time; which is a strong and necessary implication that he did not consider that acknowledgment as conferring their sovereignty upon them, but on the contrary, they were a complete sovereign Power before, and had a full right to name their Ministers as such, to treat with him of a peace. He cannot, therefore, consider it as a violation of the laws of neutrality if any neutral Power should consider them in the same light, and receive their Minister whose letters of credence bear date prior to his acknowledgment of their independence.

Answer.

III. "Besides, no Minister has been received at the Court of London from America yet, and her Imperial Majesty could not consistently receive a Minister from America before that Court had done it."

Reply.

There seems not to be any objections against the immediate reception of a Minister from the United States at the Court of London which might not be made with equal force against the reception of Ministers from any of the other late belligerent Powers,

and as they have already mutually sent and received Ministers, it is highly probable there are, in fact, no such objections existing. The omission, therefore, must be attributed to the only apparent cause, viz., the great distance of the two countries, which alone would render the appearance of a Minister from the United States at the Court of London impossible. Unless it should be supposed that Court is averse to forming any intimate connexions with the United States, the contrary of which seems to be the case, from the generous, liberal, and wise policy they have in contemplation respecting them.

But if it should be laid down as a principle, that the Powers of Europe could not consistently receive a Minister from the United States till one had been received at the Court of London, it might have serious consequences upon the exercise of the right of sovereignty, and the most important interests, not only of the United States, but of such of the Powers of Europe as have not already received a Minister from them. For it would oblige them, whether they chose to do it or not, if they wished to form connexions with those Powers, to send a Minister to the Court of London as a step necessarily preparatory to that end. And when they had done this, it would be in the power of that Court, by refusing to receive him, to render their design abortive, and thus to prevent all friendly and beneficial intercourse between those Powers and the United States, which cannot be formed and maintained but by the instrumentality of public Ministers.

If, then, it is clear that the United States are not at all concerned in the present mediation, that their provisional treaty has become absolute, and that their definitive treaty may be concluded at any time, and without waiting for the conclusion of the definitive treaty under the mediation; that their independence has been unconditionally acknowledged by the King of Great Britain as a preliminary to any negociation; that it is irrevocable in its nature; and if the observations made upon the other objections are well founded, it is confidently hoped from that justice and impartiality which have ever formed so distinguished a part of her Imperial Majesty's character, that it will be thought all obstacles to the immediate reception of a Minister from the United States are removed.

FRANCIS DANA.

St. Petersburg, May 8th, 1783.

TO ROBERT R. LIVINGSTON.

St. Petersburg, May 9th, 1783.

Sir,

Having very little doubt that this letter will be opened at the post office, I do but enclose a copy of the memorial spoken of in my last, which I sent yesterday to the Vice Chancellor, and of my letter accompanying it. They will not, I presume, detain the letter merely to give themselves the trouble of copying or translating papers the original of which is in the hands of the principal Minister. I have only to apologize to you for the slovenly appearance of this copy, with its interlineations and obliterations. I have not time to make a fair copy for this day's post, and though but a few days might be lost here by waiting for the next post, yet an opportunity might be lost for a long time by it, of forwarding it from some port in France.

I have the honor to be, &c.,

FRANCIS DANA.

—O—

TO ROBERT R. LIVINGSTON.

St. Petersburg, May 9th, 1783.

Sir,

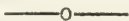
By this day's post I have sent you, by the way of France, a copy of a memorial which I yesterday delivered to the Vice Chancellor. In that I have expressly declared that I could not reply to the answer I had received from instructions, and desired that it might be considered as containing my private sentiments only upon the subject. This I thought it advisable to do, not only because it was the strict truth, but that Congress might be more at liberty, if they should judge it expedient, to disavow the whole. A reply I deemed absolutely necessary for me to make, to endeavor to show that the objections which had been made to my immediate reception were invalid in themselves. Whether I have succeeded in the design is for others to judge. It is to be observed, however, that I have thought myself under the necessity of omitting to urge some very obvious and forcible reasons, from an apprehension that from the extreme sensibility of her Imperial Majesty, they would give offence, which I was determined to avoid as far as possible without sacrificing the honor of the United States.

What the effect of this memorial will be, it is impossible to say. I have no sanguine hopes from it. If it should not effect a change of resolution upon the matter, I still think I ought to leave this Empire, without waiting here at least six months longer to learn certainly whether Congress would consent to revoke my present letter of credence, and to grant me a new one bearing date since the acknowledgment of the independence of the United States by the King of Great Britain, of which I have not the least expectation. But if they should be inclined even to do this, would it not be more eligible for me to return, when they would have an opportunity to get rid of the matter without any revocation of letters of credence, by nominating another Minister after I had quitted the Empire. If I might offer my opinion upon this subject, I do not think the advantage of a Minister at this Court will compensate for the expense of it.

Of all the causes which might occasion this answer of her Imperial Majesty, I can think of none which is likely to have more influence in the case than the second matter pointed out in my letter of April 17th as having happened since my communication was made. It will be wondered, perhaps, how that could have such an effect, and it may be supposed it would have a direct contrary one. I supposed quite otherwise when I mentioned it, and I feared the consequence of it when it was known here. This is to be accounted for only from particular local knowledge of what kind of influence governs here. I shall lose this day's post if I do not immediately close this letter.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, May 13th, 1783.

Sir,

I did myself the honor to forward to you by the last post, of the 9th instant, by the way of France, a copy of the memorial I presented the day before to the Vice Chancellor, and of my letter accompanying the same. By this day's post I send you a second copy of them through the same channel, and a third, by the way of Holland. I wrote you a separate letter on the day of the last post,

not thinking it advisable to trust it with the packet. For the same reason I send those by to-day's post unaccompanied with any letter to you.

I have before given it as my opinion, that if this answer of her Imperial Majesty should be persisted in, it will not wound the honor or dignity of the United States in the sentiment of any Sovereign of Europe. I am more and more confirmed in this opinion, as I reflect upon the objections which have been raised against the immediate reception of a Minister from the United States. They appear to me to be totally unsupported by any principles of sound policy, or of the laws of nations. So far from its being thought that the communication has been precipitated, I believe it is rather a matter of wonder why it was so long delayed. Every one will see that the course of events had most certainly prepared the way for it, judging upon any fixed principles. The other neutral Powers were accordingly inviting the United States to enter into political connexions with them; and none of them have really a stronger interest to do so than this empire. The account alluded to in my letter of the 25th of April, as having been transmitted to me by Mr. Adams, is as follows: (Extract of a letter from William Lee, February 18th, 1783.) "I am advised, from very good authority, that the Emperor is desirous of entering into a treaty of commerce with the United States of America, on terms of equality and mutual advantage. Therefore, shall be much obliged to you for informing me if there is any person *in Europe* authorised by Congress to enter into such a treaty with her Imperial Majesty," &c. Is it probable, after such an inquiry, that that illustrious Sovereign, if any of your Ministers in Europe had communicated such powers, would have made either of the objections which have been raised here? The motives which have given occasion to so singular a determination on the part of her Imperial Majesty will be known. I can speak very generally only upon this subject while I remain here. I must again, therefore, beseech Congress to suspend forming any judgment upon this matter.

I propose to wait a reasonable time for an answer to my memorial. If none should be given, or the former one should be persisted in, I shall then set off for Stockholm, from whence I will write to you more freely, first taking another step, which appears to me advisable—I mean, to communicate what has passed at this Court to

the foreign Ministers, to prevent misrepresentations to the prejudice of the United States. The truth I think can do them none.

I am in hopes of receiving an answer to the memorial in a few days, and will transmit you an account of it immediately. In the mean time, I am preparing to quit this city in case it should not be such as we have a right to expect from the uniform conduct of the United States respecting her Imperial Majesty.

I have the honor to be, &c.,

FRANCIS DANA.

—O—

TO JOHN ADAMS.

St. Petersburg, May 15th, 1783.

Sir,

You will see, with astonishment, I dare say, the objections that have been raised against my immediate reception at this Court. I must acquaint you, that the first has taken place since I made my communication; the courier having arrived here with the proposals three days after, viz., on the 27th of February. However, I think it far from being a solid objection. The second is of so extraordinary a nature that it is impossible, in my opinion, that the United States can ever comply with it. If they should incline to do it, it shall never be done upon my request. I would perish before I would propose it to them. If they have not lost all sense of their own dignity—and I believe they have not—they would sooner resolve never to send a Minister to this Court during the life of the present Sovereign. I have said all upon that point that I thought it prudent to say in my memorial; but you will at once perceive, I must have suppressed some very forcible arguments merely to avoid giving offence. It is not my business to embroil matters between the two countries; quite otherwise.

With this view, I have openly disavowed all instructions relative to the subject, and expressly desired that my reply may be considered as containing my private sentiments only. This leaves Congress at full liberty to avow or disavow whatever they think proper. They may sacrifice my reputation and character, if they judge the interests of our country require it, but I will never sacrifice the dignity of the United States, by seeming, for a moment, to give into a proposition which I conceive would be an eternal disgrace to

them. For this reason I have resolved, after waiting a reasonable time for an answer to my memorial, if none should be given, or the first be persisted in, to return with all speed to America. Which again will be the means of leaving Congress more at liberty to act, by affording them an occasion of sending another Minister here, if they should incline to do it, without being under the necessity of revoking my letter of credence and granting me another, bearing date since the acknowledgment of our independence by the King of Great Britain. I spare all reflections upon this system, if it can be called one, of politics; and shall not attempt to account for it at this time.

I have the honor to be, &c.,

FRANCIS DANA.

—O—

ROBERT R. LIVINGSTON TO FRANCIS DANA.

Philadelphia, May 27th, 1783.

Sir,

Since my last, a copy of which will be transmitted with this, Congress were pleased to pass the enclosed resolution, limiting the term to which they conceive the duration of the treaty of commerce to be proposed to Russia should be confined, and directing that it should be in no way obligatory upon them till they had revised and approved it.* This latter part of the resolution will, I dare say, make no difficulty, since it only conforms to the powers you already have, and which if you have made any propositions must, I presume, have been made under this restriction. You will find, however, that Congress do not wish to perplex or embarrass you, if your propositions are not exactly conformable to their intentions, but have left it to your discretion to proceed if you are too far engaged to recede with honor; but they are still anxious not to engage extensively in commercial treaties till experience has shown the advantages or disadvantages that may result from them.

* “*In Congress, May 22d, 1783. Resolved, that Mr. Dana be instructed, in case he has not already proceeded too far in the commercial treaty between the United States of America and Russia, that the treaty be limited to the term of fifteen years; and that the same be subject to the revisal and approbation of Congress before they shall be under obligations to accept or ratify it.*” For the proceedings of Congress on the subject of Mr. Dana’s letters, see the *Secret Journal*, Vol. III, pp. 344–354.

I wish you had enlarged upon this subject so as to have shown minutely the conveniences that will arise from trading with the dominions of her Imperial Majesty, under a treaty rather than without. You hint at one of them, when you speak of the different coin in which the duties are to be paid, but not having explained the value of the money of the country, or the amount of duties, we know not what advantage we are to gain from being permitted to pay them in it.

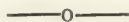
By a late resolution, Congress have been pleased to direct that the postage of letters and the payment of couriers be allowed as contingent expenses.

Give me leave, sir, again to remind you, that your letters have hitherto been silent on the subject of government, police, laws, arts, manufactures, finances, civil and military establishments, &c. It is true, a general knowledge of these may be acquired from several publications; but minute and accurate details are necessary to answer political purposes; and as you have much leisure, an ample support, and the means of acquiring this information, with the ability to employ those means to the best advantage, I must again request you to impose this task upon yourself, and to consider it as a standing instruction to write at least once a week on these subjects.

I have nothing to add as to general intelligence since my last, but that Congress have ordered that furloughs be granted to about two thirds of the army; and that we have some reason to complain of the infraction of the seventh article of the provisional treaty, Sir Guy Carleton having sent off numbers of slaves under pretence of having come in under proclamation, which gave them their freedom, and they could not be within the letter or spirit of the article.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.



TO ROBERT R. LIVINGSTON.

St. Petersburg, May 30th, 1783.

Sir,

I have already sent you three copies of the memorial which I presented to the Vice Chancellor, Count Ostermann. There is no doubt, now hostilities have ceased, but one of them at least will

come safe to hand. It has all along been uncertain to me what the effect of the memorial would be, that is, whether it would produce any change in her Majesty's present plan of conduct towards the United States. I had in view by it, principally, to place our affairs in such a point of light that, if her Majesty should persist in her answer, the dishonor of it, if any, should not fall upon the United States.

The memorial was as unexpected to the Vice Chancellor as his answer was to me, after the previous assurances I had received that all obstacles were removed. He expected the whole matter would have ended with the conference I had with him; in which case they could, and they would without any scruple, have made what they pleased of it; have varied it, added to it, or diminished it, as future circumstances should render expedient. To prevent this, finding I could not obtain a note in writing of the substance of the answer, I determined to make that certain, as well as my reply to it, by throwing the whole into a memorial.

Not having received an answer to this, as I had desired in my letter accompanying it, on the 28th instant I wrote another letter for the Vice Chancellor, as my ultimatum, and intended to have sent it yesterday, but a private friend called upon me in the evening of the same day, and told me he was informed that I should have an answer in the course of this week which would be satisfactory to me, but that he knew nothing of the particulars. Upon this intelligence I have omitted to send my letter to the Vice Chancellor, and shall wait patiently for the answer, at least through the week. Though my expectations are not sanguine from this information, which I have no doubt has been delivered exactly as it was received, yet it gives some room to hope for further explanations upon the subject, and that a proper system, such as the true interests of this Empire point out, may be finally adopted, and without my coming to the last measure, that of quitting the country, a measure which I cannot but consider as indispensably necessary to the maintenance of the honor of the United States, if her Majesty should persist in her first answer. A few days will now determine whether all obstacles to my reception are effectually removed, or whether more plausible pretences only are intended to be opposed to it. Not a moment shall be lost to communicate to you whatever may take place relative to so interesting a subject.

As to general news, there seems to be no doubt of the war breaking out between Russia and the Porte, but it is still thought that the Emperor will not take a part in it, knowing the consequence of his doing so will be a general war upon the continent, in which he may probably suffer much. I am told the Khan of the Crimea, who has lately been restored by Russia, has ceded that important peninsula to the Empress, and retired into the Cuban. Thus that country has been made independent of the Porte, but to become a province of this Empire, an event which must have been foreseen, though probably not expected so early. You will find some particulars relative to the Crimea in my letter of the 15th of January last. Russia must henceforward be considered as having the absolute command of the Black sea. But on the other hand, she will not probably be able to act with her fleets in the Archipelago against the Turks, as in the last war, for a plan, it is said, is forming by the House of Bourbon, to render the Mediterranean a privileged sea like the Baltic, (which was done by a confederation of the Powers bordering upon that sea,) by a similar confederation of the Powers upon the Mediterranean. By this means the Russian fleet will be obliged to quit that sea, and France, without entering into the war, will render a most essential service to the Porte. Seven sail of men-of-war, which had received orders to sail from hence and Archangel, to join the fleet at Leghorn, have, in consequence of this plan, as is supposed, been stopped. It is said likewise to be intended to suppress those troublesome piratical people upon the coasts of Barbary, and who so frequently insult the first maritime Powers of the world, and in a manner make them all their tributaries.

I am, sir, with the greatest respect, &c.,

FRANCIS DANA.

—O—

TO ROBERT R. LIVINGSTON.

St. Petersburg, June 6th, 1783.

Sir,

In my last I acquainted you that I had been informed I should receive a satisfactory answer to my memorial in the course of that week. None has yet been given. Through the same channel I was yesterday informed that it was intended to give the answer on

Monday or Tuesday next. From this delay I am inclined to think they wait to receive an account of the definitive treaty, when all ideas of a mediation will be done away. This is daily expected here. The other objections may be then dropped. It would be thought, perhaps, to be too humiliating to give them all up at once. In this way probably the whole may be compounded. I shall wait patiently in this expectation till we receive that account.

I have the honor to be, &c.,

FRANCIS DANA.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, June 17th, 1783.

Sir,

Although we have not received any account of the conclusion of the definitive treaty under the mediation of their Imperial Majesties, I have the satisfaction to acquaint you that our affairs have taken the turn which I supposed in my last they might do. This is the utmost effect I could ever expect from my memorial, for the reason mentioned in that letter. On Saturday morning I received a note from the Vice Chancellor, of which the following is a copy :

Translation.

“Count OSTERMANN begs Mr. Dana to do him the favor to call on him to-day at one o'clock, taking this occasion to assure him, with great pleasure, of his perfect esteem.

“Saturday, June 14th.”

Having waited upon him accordingly, he entered into a conversation tending to explain away the principal parts of his first answer. He said, however, that he did not intend that as the answer to my memorial, this being included wholly in the note which he would read to me, and that I might take a copy of it to prevent any mistakes, which is as follows :

Translation.

“I have not failed, sir, to place under the eyes of the Empress my Sovereign the letters which you addressed to me on the 8th and

10th of April, accompanied with a memorial and a supplement to that memorial.

“ Their contents proving that you have taken in a wrong sense what I had the honor of saying to you previously respecting the overture which you made to me relative to the honorable commission with which you are charged, I have renewed to you the expression of satisfaction with which the Empress has accepted the mark of attention which your constituents have shown in sending to her a person expressly clothed in a public character, and that she will receive him with pleasure in that quality as soon as the definitive treaties, which are now on the eve of being concluded between the Powers who have been at war, shall be consummated. Her delicacy has been a law to her not to make any advance before that time which should be considered inconsistent with those principles which have characterized her strict impartiality during the course of the late war. In other respects, the Empress designs that you shall enjoy, not only in your own person, but also your countrymen who shall visit her Empire either on commercial or other affairs, the most favorable reception and the protection of the laws of nations.

“ As to what I said to you, sir, concerning the date of your letters of credence, there has been no occasion for any question respecting the consequences you have drawn from it. The conduct which the Empress has held during the whole course of the war sufficiently proves the impartiality of her sentiments, renders all discussion on this subject unnecessary, and ought to be perfectly satisfactory to you.”

To which I returned the following answer :

To his Excellency Count Ostermann.

“ I have considered the answer to my memorial which your Excellency gave to me, on the part of her Imperial Majesty, on the 14th instant, as contained in the written note, of which you permitted me to take a copy. Knowing the high sense the United States of America have of that strict impartiality between all the late belligerent Powers which her Imperial Majesty has so evidently manifested during the course of the war, and that they would not wish any proposition should be made on their part, which she might possibly think in the least degree repugnant to it, I omitted to make

the communication of my mission to your Excellency till the conclusion of the preliminary treaty between the Courts of Versailles, Madrid, and London had been in form communicated to her Imperial Majesty. It is to be observed that at the time I made it the mediation had not taken place, the despatches relative to it, if I am not mistaken, having arrived three days after. The other matters being waived, I shall conform with the utmost satisfaction to her Imperial Majesty's manner of thinking respecting the present mediation, and wait the conclusion of the definitive treaty of peace. I have a most grateful sense of the assurances which her Imperial Majesty has been pleased to give to me that, in the mean time, not only myself, but such of the citizens of the United States as affairs of commerce or others may bring into her Empire, shall enjoy the most favorable reception and the protection of the laws of nations.

"I pray your Excellency to accept my sincere acknowledgments of the polite manner in which you communicated the answer to my memorial.

"I have the honor to be, &c.,

FRANCIS DANA.

"St. Petersburg, June 16th, 1783."

You will not suppose, from anything contained in the answer to my memorial, that I had misstated any part of the first answer. Whether my reasoning upon the several parts of it is just or not, you are best able to determine. If I have drawn consequences from it that are not true, as the reply supposes, it has at least had the effect to remove every obstacle except that of the mediation, which a very short time will probably put an end to, and also to draw forth an express assurance of the most favorable reception of the citizens of the United States, of a liberty freely to carry on their commerce with this Empire, and under the protection of the laws of nations. If this is not in effect giving up every objection, so far as they have any pretence to be grounded upon established principles, I am greatly mistaken in the matter. Considering it in this light, I have made no difficulty to declare that I should conform, with the utmost satisfaction, to her Majesty's sentiments respecting the mediation. Thus, I flatter myself, all discussion of every kind, especially of matters of so much delicacy, is at an end. I am much deceived if what has taken place will be of the least disadvantage to our interests. I am happy to add, I found the Vice Chancellor in an

exceeding good disposition, and have every reason to expect that all will go on in future in the most perfect harmony.

You will observe mention is made in the written answer of a letter of the 10th of May, and of a supplément to the memorial. This is nothing more than to introduce a paragraph which I had omitted to insert in the copy sent to the Vice Chancellor. You have it in the second and third copies which I sent to you, but not in the first.

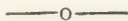
Her Majesty will set off in a few days for Fredericksham, a town in Finland, near the frontiers of her Empire, to meet the King of Sweden. The object of their meeting is supposed to be to insure tranquillity on that side, while the war may be prosecuted on the other against the Turks. The information respecting the Crimea, which I communicated to you, is not yet beyond all question. If it has not already become a fact, there is little room to doubt but it will in the course of a short time. Protection and subjugation are not far separated in such cases. Besides, it forms so capital a part of the present ruling system, that no means will be neglected to effect it as early as possible.

The duplicate of your letter of the 17th of December was brought me by the last post; the first copy has not come to hand, and the enclosures sent with that, you say in a postscript, are omitted in this for want of time. They are, however, become useless by the great change of peace. It is not the trouble, but the danger of meddling too particularly with the subjects you speak of, that has hitherto prevented my going further into them. You will be pleased to recollect, as I have mentioned before, that I have no cypher from you but what has come to me through this office, and that the duplicate of it did not accompany the duplicate letter which was said to enclose it. I am not without my apprehensions that it was taken out of your letter here. I have never received any other cypher than the first from you, though it seems, by your letters, that you had sent me both a written and a printed one since. I sent you one by Mr. Adams's son, who left me last October, but instead of being two months, as I expected at furthest, upon his route to Holland, he has been near six, so that you have not probably received that.

If you will be pleased to turn to my letter of the 30th of March, and to read that *single* sentence in it, which begins with the words, "There has lately been a lively sensation," &c., you will find the

great object which has constantly engaged the attention of this Court. It is the pole-star of their system, and everything else has been subject to its influence. Nothing has been adopted but with a view to facilitate the execution of that project. The policy mentioned in the last paragraph of my letter of October 14th (sent by Mr. Adams) had no other object in view. You will instantly perceive the reason why I have supposed they would have been well pleased with the events there pointed out. You will see, of course, that the different turn those affairs have taken cannot be very agreeable here, and how they may, and in fact do, obstruct the great project in this moment. Sir, I have been very unwell for four days past, and am at this instant so feeble that I can add nothing more than that I am, with much respect, &c.,

FRANCIS DANA.



PLAN OF A COMMERCIAL TREATY BETWEEN RUSSIA AND THE UNITED STATES.*

ARTICLE I. There shall be a firm, inviolable, and universal peace, and a true and sincere friendship between her Imperial Majesty, and her heirs and successors to the throne, and the United States of America, and between the countries and territories situated under their jurisdiction respectively, the people and inhabitants thereof, and between their citizens and subjects of every degree, without exception of persons or places.

ARTICLE II. The rights, liberties, privileges, immunities, and exemptions respecting navigation, trade, commerce, or the distribution of justice, which now are, or hereafter shall be granted by either of the contracting parties to any nation whatever, by any treaty, tariff, law, or ordinance whatever, shall immediately become common to the other party, whose citizens and subjects shall enjoy the same in as ample a manner, to all intents and purposes, as if the articles and clauses in virtue of which they now are, or hereafter shall be granted to any nation, had been inserted into this treaty and made a part thereof.

* It does not appear that this plan of a treaty was ever discussed between the parties, but was drawn up by Mr. Dana on such principles as he intended to maintain, should the negotiation proceed.

ARTICLE III. It is particularly agreed and concluded that the citizens and subjects of the contracting parties, respectively, shall freely enjoy the right of passing with their vessels from one port to another within the territories of the other party, of going from any of those ports to any foreign port of the world, or of coming from any foreign port of the world to any of those ports. The citizens and subjects of the contracting parties, respectively, shall pay within the territories of the other party no other or greater duties or imposts, of whatever nature or denomination they may be, than those which the most favored nations now are, or hereafter shall be obliged to pay. And it is particularly agreed that the citizens of the United States may pay the duties and imposts laid upon merchandizes which they shall import into, or export from Russia, and which are or shall be ordered to be paid in rix dollars, in the current money of Russia at the rate of one hundred and twenty-five copeaks for each rix dollar of full weight. The citizens and subjects of the contracting parties shall have full liberty of navigation, trade, and commerce in all parts of the territories of the other party where navigation, trade, and commerce now are, or hereafter shall be permitted to any other nation whatever; and to that end they shall mutually have free liberty to enter by water and by land with their vessels, boats, and carriages, loaded and unloaded, into all such ports, harbors, rivers, lakes, cities, towns, and places within the territories of the other party where navigation, trade, and commerce now are, or hereafter shall be permitted to any other nation, and there to import or export, to sell or to buy all goods, wares, and merchandizes of any country whatsoever, the importation and exportation of which shall not be prohibited; and to remain there or to depart from thence with their vessels, boats, carriages, and effects, paying the duties and imposts prescribed in each place, and conforming with regard to their boats, vessels, and carriages, and the transportation of their effects, to the laws established in the place where such transportations shall be had and done, and which shall not be repugnant to any articles or clauses of this treaty.

SEPARATE ARTICLE. Whereas it may sometimes happen that the citizens of the United States of America may make circuitous voyages from America through some other parts of Europe into Russia, and may take on board their vessels merchandize of the growth, production, or manufacture of such other parts of Europe with an

intent to carry the same into America, it is agreed that such merchandizes shall not be liable to seizure or confiscation when they shall be brought into any port of Russia, although they should happen to be of the sort called contraband or prohibited merchandize, nor shall they be subjected to the payment of any duties, either of importation or exportation, or of any other duty whatever; provided, always, that they shall not be attempted clandestinely to be landed, or be exposed for sale, but a full report of all such merchandize shall be duly made to the custom-house, and they shall, if required, be deposited in some suitable magazine under the custody of a proper officer of the port, to be reladed on board the same vessel, when she shall have made up the residue of her cargo, to be exported for America according to the original intention, paying only the expense of storing the same, and other reasonable charges.

ARTICLE IV. And to enable them more amply to enjoy the benefits and advantages granted in the foregoing articles, the citizens and subjects of the contracting parties shall mutually have full liberty to establish factories in all parts of the territories of the other party, where such liberty now is, or hereafter shall be granted to any other nation whatever; which factories shall enjoy the same rights, liberties, privileges, immunities, and exemptions, as those of the most favored nations.

ARTICLE V. All special advantages and benefits, of whatever name or nature, which are, or hereafter shall be, granted by either of the contracting parties in virtue of any treaty, tariff, law, or ordinance in favor of any nation where commodities of the growth, production, or manufacture of its territories shall be imported, whether in their own vessels or others, by a direct navigation into the territories of the contracting party which shall have granted such advantages, shall immediately become common to the other contracting party, whose citizens and subjects shall fully enjoy the same special advantages and benefits, to all intents and purposes, whenever they shall in their own proper vessels likewise import the same commodities into the territories of the party granting the same, by a direct navigation from the territories of such favored nation.

ARTICLE VI. It is further agreed and concluded that when any of the commodities of the Islands commonly called the West Indies, or of other neighboring Islands, or of any part of the Continent of America, shall be imported into any of the territories of her Imperial

Majesty by the citizens of the United States in their own proper vessels, by a direct navigation from the countries where the same commodities shall have been produced or manufactured, that in such case there shall be abated and deducted from the duties imposed upon such commodities, one part thereof; but if they shall import the same indirectly from any European port, they shall pay the duties in full according to the tariff. It is particularly agreed that all raw and refined sugars not in loaves, when imported by the citizens of the United States as above by a direct navigation, shall be free of any duties.

ARTICLE VII. All possible assistance and despatch shall be given to the loading and unloading of vessels, as well for the importation as for the exportation of commodities, according to the regulations on that head established; and they shall not be detained in any manner under the penalties denounced in the said regulations. And to prevent vexations and grounds of complaint, it is agreed that all merchandizes when once put on board the vessels of the citizens and subjects of the contracting parties, shall be subject to no further visitation or search; but all visitation or search shall be made beforehand, and all prohibited merchandizes shall be stopped on shore before the same be put on board such vessels. Nevertheless, to prevent on both sides the defrauding the customs, if it should be discovered that any merchandizes have been imported or attempted to be put on board such vessels clandestinely, or without paying the duties, they shall be confiscated, but in neither case the persons, vessels, or other merchandizes of the citizens and subjects, on one part or the other, shall be put under any arrest, or be in any manner detained or molested, nor shall any other punishment be inflicted upon them for such offences.

ARTICLE VIII. It shall be wholly free for all merchants, commanders of vessels, and others, citizens and subjects of the contracting parties, within the territories of the other party, to manage their own business themselves, or to commit it to the management of whomsoever they please; nor shall they be obliged to make use of any interpreter or broker, nor to pay them any salary, unless they choose to make use of them. They shall likewise have full liberty to employ such advocates, procurators, notaries, solicitors, and factors, as they shall think proper. Moreover, masters of vessels shall not be obliged in loading or unloading them, to make use of any work-

men who may be appointed by public authority for that purpose ; but it shall be entirely free for them to load or unload their vessels by themselves, and their own proper mariners, or to make use of such persons in loading or unloading their vessels as they shall think fit, without the payment of any salary to any other whomsoever ; neither shall they be forced to unload any sort of merchandizes into other vessels of any sort, or to receive them into their own, or to wait for their being loaded longer than they shall have contracted for.

ARTICLE IX. If any dispute shall arise between any commander of the vessels of either party and his seamen, in any port of the other party, concerning wages due to the said seamen or other civil causes, the magistrate of the place shall require no more from the person complained against than that he give to the complainant a declaration in writing, witnessed by the magistrate, whereby he shall be bound to prosecute that matter before a competent judge in his own country according to the law thereof ; which being done, it shall not be lawful, either for the seamen to desert the vessel or to hinder the commander from prosecuting his voyage. And if at any time any seamen should desert their vessels, upon complaint thereof made to the magistrate of the place by the commander of the vessel, he shall cause all such deserters to be sought for, and if found, to be restored immediately to the commander of the vessel, or, if he shall desire it, to be confined in prison, or some safe place at his expense, to be delivered up to him when he shall be about to depart with his vessel.

ARTICLE X. It shall be permitted to the citizens of the United States, who shall establish themselves in Russia, to build, buy, sell, hire, or let houses in the towns of St. Petersburg, Moscow, and Archangel, and in all other towns of the Empire, which have not rights of burghership, and privileges to the contrary ; and it is particularly agreed, that the houses which they shall possess and inhabit within any parts of the Empire, shall be exempted from all quartering of soldiers or other lodgments, so long as the same shall be actually possessed and occupied by themselves. On the other hand, permission shall likewise be granted to the Russian merchants to build, buy, hire, sell, or let houses within all parts of the territories of the United States, in the same manner as now is, or shall hereafter be granted to the most favored nations ; and all such

houses as they shall build, buy, or hire, shall, so long as they shall continue to dwell in the same themselves, be exempt from all quartering of soldiers or other lodgments, throughout all parts of the same territories, without exemption of places.

ARTICLE XI. The citizens and subjects of the contracting parties shall, within the territory of the other party, have full liberty to take and receive into the houses they inhabit, or into their particular magazines, all such commodities as they shall have imported, or as shall be consigned to them; and to this end, they shall be delivered up to them from the public magazines, if required, as soon as conveniently may be, after they shall have paid the duties and other lawful charges thereon; and they shall have full liberty to sell and dispose of the same at their houses and particular magazines as they shall think fit, upon this express condition, however, that they shall not sell them there or elsewhere by retail; and they shall not be charged with any taxes or impositions whatever on account of their enjoying this privilege, or with any other than the most favored nations shall pay.

ARTICLE XII. To prevent fraud, which might otherwise take place, and to establish a mutual confidence in matters of commerce, it is agreed that all the citizens and subjects of the contracting parties, whether residents in their own or in the territories of the other party, who shall have arrived to the full age of twenty-one years, (being of sound mind, excepting always the Russian peasants,) shall be judged capable of making contracts in their own names, and shall accordingly be held and obliged to fulfil and perform all contracts and engagements which they shall so make and enter into agreeably to the rules of good faith; and this, whether their fathers, or mothers, or both, shall be living or dead at the time of making the contract, or whether they have been portioned or not by them, or either of them. And all the Russian clerks or servants employed in the shops shall be registered in some tribunal, and their masters shall be responsible for them in affairs of trade and commerce, bargains or contracts, which they shall make in their names.

ARTICLE XIII. When the Russian merchants shall cause to be enregistered at the custom-house their contracts or bargains for the sale or purchase of merchandizes, by their clerks or factors, or others employed by them, the officers of the customs where these contracts shall be enregistered shall carefully examine if those who contract

for the account of their principals, are authorised by them with orders or full powers made in good and due form, in which case, the said principals shall be responsible as if they had contracted themselves in person. But if the said clerks, factors, or other persons employed for the said merchants are not provided with sufficient orders or full powers in writing, they shall not be believed upon their word, and although the officers of the customs are charged to watch in this respect, the contractors shall, nevertheless, take care for themselves that the agreements or contracts that they make together exceed not the procurations or full powers which have been confided to them by their employers, since these last are not held to answer but for the objects and amount for which the full powers have been given by them.

ARTICLE XIV. The Russians shall be amenable to justice touching all their contracts and engagements between them and the citizens of the United States residing in Russia, in the place where they shall have made them, unless it shall be otherwise stipulated therein, and according to the laws of the same place; and if any process should arise between them in the towns of St. Petersburg, Moscow, or Archangel, the College of Commerce alone, to the exclusion of every other tribunal, shall take cognizance thereof, after complaint shall have been duly made; and said College shall cite the person complained against to appear before them in person, or by his attorney, to answer such complaint, allowing a reasonable time therefor; and if he should appear, or fail to appear and answer within the time fixed, upon due proof of the matter in question being produced, the said College shall proceed to pass judgment thereupon against the person complained of, and where it is necessary to carry their judgment into execution against an absent person, shall forthwith, when desired by the complainant, at his expense, send an express to the proper Governors or Waywodes, and shall order them to cause the judgment to be executed without loss of time, and thus shall oblige the person condemned to pay the sums of money specified in such judgment, with reasonable costs.

ARTICLE XV. But whenever a process or dispute shall take place concerning any contract made between the citizens of the United States and the Russian subjects in a place where the College of Commerce hath no department, they shall be heard and determined by the ordinary magistrate of the place; and in all such cases

the process shall be conducted in like manner as is agreed in the preceding article, as well with respect to the obtaining of judgment as to the execution thereof; and the citizens of the United States, in all causes between them and the Russian subjects which shall be tried by any magistrate of a place where the College of Commerce hath no department, shall have a right to appeal from the judgment of the magistrate to that of the College of Commerce whenever they shall think themselves aggrieved thereby. On the other hand, the Russian merchants within the territories of the United States shall, in their turn, enjoy the same administration of justice as the native citizens.

ARTICLE XVI. It shall be lawful for the merchants on the one part and on the other to keep, in the places of their abode or elsewhere, books of their accounts and affairs, and also to maintain an intercourse of letters in any language they please, without being liable to any restraint in these respects. Nor shall they be obliged to show their books or papers to any person whatever unless it be in the course of justice; and if it should become necessary for them to produce their books or papers for deciding any controversy, in such case no other articles or parts thereof shall be shown than such as shall relate to the matter in question, or shall be necessary to give credit to the same books and papers. And it shall not be lawful, under any pretence, to take the said books or papers forcibly out of the hands of the owners, or to retain them; the case of bankruptcy always excepted.

ARTICLE XVII. If any bankruptcies shall happen in Russia, in which any of the citizens of the United States shall be interested, either as creditors or debtors, the creditors shall assemble under the authority of the College of Commerce, and the major part of them, as well with respect to number as to the value of their demands, shall name three or more persons from among themselves or elsewhere trustees, who shall take possession of all the effects movable and immovable of such bankrupt, and of his books and papers, and shall examine the same to discover the state of his affairs, and they may decide upon the claims of any one pretending to be a creditor of such a bankrupt, if his claim shall be questioned by any other creditor in whole or in part; and the decision of the major part of such trustees thereupon shall be final and binding upon all the creditors. The trustees shall have full authority also to demand and

receive all debts due to the bankrupt, to sell and dispose of his effects movable and immovable, and shall distribute with all convenient speed the proceeds thereof among all the creditors in a just proportion to their respective demands and credits as finally settled and allowed by the trustees, without any preference whatever among the creditors on account of the different nature of their demands. It is to be understood always, however, that when any immovable estate of the bankrupt shall have been mortgaged and pledged to any creditor, such creditor shall receive the full of his debt before the same estate shall be taken out of his possession and sold for the profit of the other creditors. But as to movable effects, no right of pledge shall be admitted, unless the thing claimed by any creditor as a pledge for his debt shall have been actually delivered to him before the bankruptcy was committed, and shall have remained constantly in his hands; in which case he shall also be paid the whole of his just debt before he shall be dispossessed of such pledge to be sold for the benefit of the creditors in general. The trustees shall make a report to the College of Commerce in what state they have found the books, papers, and affairs of the bankrupt, and by what means he has failed, and if they declare him to be an honest man, he shall be immediately discharged.

ARTICLE XVIII. To multiply the ties, and to establish a more intimate and friendly intercourse between the citizens and subjects of the contracting parties, it is agreed that whenever any citizen of the United States, resident in any part of Russia, shall associate and enter into partnership with any Russian merchant, he shall thereby acquire and be entitled, for so long time as the said association and partnership shall be continued, all the rights, liberties, privileges, immunities, and exemptions in navigation, trade, and commerce of a native subject of Russia. And on the other hand, whenever any Russian merchant, resident in any of the territories of the United States, shall associate and enter into partnership with any merchant or citizen of the United States, he shall thereby acquire, and be entitled to enjoy, for so long a time as the said association and partnership shall be continued, all the rights, liberties, privileges, immunities, and exemptions in navigation, trade, and commerce of a native citizen of the United States. But the said citizens and subjects, on the one part and on the other, shall not be subjected on such account to any tax or imposition whatever; and they shall also

be exempt from all burdens, charges, and services, of what nature soever, which are peculiar to native citizens and subjects and burghers, and are not exacted from the most favored nations.

ARTICLE XIX. All necessary precaution shall be taken that the brack be trusted to persons of known ability and probity, and the brackers shall be responsible for the quality of the goods and fraudulent package, and shall be obliged, after sufficient proofs produced against them, to make up the losses occasioned by their negligence or fraud. The officers of the customs shall have the charge of examining the clerks or servants of the American merchants residing in Russia, when they cause their goods to be entered, whether they have the orders of their masters in writing for that purpose, and if they have not, they shall not be credited, nor shall their masters be responsible for any entries their clerks or servants may cause to be made in their names without their orders in writing for the same.

ARTICLE XX. The citizens and subjects of the one part and on the other shall have full liberty to remove themselves and their families, (if they have any,) together with their effects of every kind, whensoever they think fit, out of the territories of the other party ; paying their just debts, and the ordinary established duties of exportation, but without being subjected to any extra duties or deduction from their effects for the right of carrying them out of the territories of such party ; and the proper passports for their persons and effects shall be granted without unnecessary delay. It is particularly agreed that passports shall be granted to all such citizens of the United States who, being merchants within the Russian dominions, shall desire to quit the same by the government at the end of two months after they shall have published their intention of departing in the Gazette of St. Petersburg, without their being obliged to give any security whatever, and if within that time there shall not appear any lawful cause to detain them, they shall be permitted to depart freely with all their effects.

ARTICLE XXI. There shall be an entire and perfect liberty of conscience allowed to the citizens and subjects of both nations within the territories of the other party ; and in consequence thereof, they shall be permitted to worship freely, either in their own houses or churches destined and allowed for that purpose by the Government, according to the rites of their own religion, nor shall they in any measure be molested therein. There shall, moreover, be granted

liberty, whenever any of the citizens or subjects of either party shall die in the territories of the other party, to bury them in the usual burying places, or in decent and convenient grounds appointed for that purpose, as occasion shall require, and the dead bodies of those who are buried shall not in any measure be disturbed.

ARTICLE XXII. Although the *Droit d'Aubaine* does not exist within the territories of either of the contracting parties, it is nevertheless agreed between them, to clear away all doubts which might arise thereupon, that their respective citizens and subjects shall have full right to dispose of all effects which they shall have or ought to have within the territories of the other party, by testament, donation, or otherwise, in favor of such persons as they shall think fit; and their heirs, subjects of one of the parties, and residing in the territories of the other or elsewhere, whether so by testament, donation, or other particular titles, or as intestate, shall freely succeed to and take possession of all such effects, whether in person or by procuration, or if minors, by their guardians, tutors, or curators, although they shall not have obtained letters of naturalization, and may dispose of the same as they shall think fit, paying the just debts only which shall have been due from the deceased at the time of his death; and they shall not be chargeable with the payment of any duties or imposts whatever upon entering into the possession of such effects, movable or immovable, and who shall be deemed heirs of any citizen of the United States, who shall die intestate in Russia, and in what proportion his effects, movable or immovable, which he shall have left there, shall be divided among them, shall be determined by the laws of the State in the Union of which the deceased was last a member; and if the heirs of the deceased shall be absent, or minors, at the time of his death, and he shall not have named a particular trustee of his effects for their use, in such case an inventory shall be taken of all such effects, movable and immovable, by a notary public, under the direction and in presence of the Consul, Vice Consul, Agent, or Commissioner of the United States, if there be any in or near the place where the deceased last dwelt; all which effects shall be immediately after committed to the care of one or more persons, to be named by the said Consul, Vice Consul, Agent, or Commissioner, or in default thereof, to those whom the public authority shall designate for that purpose, to the end that they may safely be kept by them and preserved for the lawful heirs of the deceased.

ARTICLE XXIII. The contracting parties shall mutually endeavor, by all the means in their power, to defend and protect all vessels and other effects belonging to the citizens or subjects of the other party, and being in their ports, roads, harbors, internal seas, passes, rivers, and as far as their jurisdiction extends at sea, and to recover and cause to be restored entire to the true proprietors, their agents, or attorneys, all such vessels and effects which shall be taken under their respective jurisdictions, and their vessels-of-war and convoys sailing under their authority, in cases when they may have a common enemy, shall take under their protection all the vessels belonging to the citizens and subjects of the other party, which shall not be laden with contraband goods (according to the description thereof made in the article of this treaty) for places with which one of the parties is at peace and the other at war, nor destined for any place blocked, and which shall hold the same course or follow the same route, and they shall defend such vessels as long as they shall hold the same course, or follow the same route against all attacks, force, and violence of the common enemy, in the same manner as they ought to protect and defend the vessels belonging to the people and subjects of their proper Sovereign.

ARTICLE XXIV. Merchants, masters, and owners of vessels, mariners, men of all kinds, vessels, merchandizes, and effects in general, of either of the contracting parties, or of their citizens and subjects shall not be seized or detained within the territories of the other party for any military expedition, public or private use of any one, by arrests, violence, or any color thereof; much less shall it be permitted to take or extort by force anything from the citizens or subjects of the other party, and without the consent of the owner; which, however, is not to be understood of seizures, detentions, and arrests, which shall be made by the command and authority of justice, and by the ordinary method, on account of debts and crimes, in respect whereof the proceedings must be by way of law and according to the forms of justice.

ARTICLE XXV. In case the citizens or subjects of either party, with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking of shelter and harbor, to retreat and enter into any rivers, bays, roads, or ports, belonging to the other party, they shall be received and treated with

all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh, and provide themselves at reasonable rates with victuals, and all things needful for the sustenance of their persons, or reparation of their vessels, and conveniency of their voyage, and shall no ways be detained or hindered from returning out of the said ports or roads, but may come to sail and depart when and whither they please, nor shall they be subject to any visit or to the payment of any duties whatever; provided always, that during their remaining in port they do not break bulk, or expose any merchandize to sale. It is nevertheless to be understood, that if it shall become necessary for the effectual reparation of any vessel to unload her in part or in whole, permission for that purpose shall be granted, and there shall not be demanded any duties whatever upon the merchandizes which shall be unloaded, but they shall be deposited in some suitable magazine, under the inspection of a proper officer of the port, to be delivered up to the master of the vessel after she shall have been repaired, to be again loaded on board her; likewise, permission shall be granted to sell so much of the said merchandizes as shall be necessary to defray the expenses of repairing and equipping the vessel for sea, paying the duties only upon such part as shall be sold, and they shall not be demanded upon any other part of the cargo under pretence of her having broken bulk, or any other pretence whatever, but she shall be permitted freely to proceed to sea with the remainder of her cargo, without any molestation or impediment whatever.

ARTICLE XXVI. If the vessels of the citizens or subjects of either of the contracting parties come upon the coasts of the other party, without intending to enter into port, or being entered into port, not designing to unload their cargoes or to break bulk, they shall not be obliged to pay for their vessels or cargoes any duties of entry or departure, nor to render any account of their cargoes, at least if there is not probable cause to suspect that they carry contraband goods to the enemies of such party; in which case they shall be obliged to exhibit their passports and certificates described in the article of this treaty, to which full faith and credit shall be given.

ARTICLE XXVII. It shall be lawful for captains and masters of vessels belonging to the United States, or any of them, or to their citizens, freely to receive on board their vessels, or take into their service as passengers or seamen, the natives or citizens of any of the

United States, being in any port or place subject to the jurisdiction of her Imperial Majesty, upon such conditions as they shall agree upon, without being subject for so doing to any fine, punishment, process, or reprehension whatsoever; and reciprocally, the captains and masters belonging to her Imperial Majesty, or any of her subjects, shall enjoy in all the ports and places under the obedience of the United States, the same privilege of receiving and taking into their service passengers and seamen, being natives or subjects of any country of the domination of her Imperial Majesty, provided, that neither on the one side nor the other, they may not receive or take into their service such of their countrymen who are already engaged either in the public or any private service, or who shall have fled from the justice of the country, but they shall surrender up all such persons, whenever duly required so to do.

ARTICLE XXVIII. If any vessels belonging to either of the parties, their citizens or subjects, shall, within the coasts or dominions of the other party, stick upon the sands or be wrecked, or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or shall be in danger thereof; and the vessels, effects, and merchandizes which shall have been saved, or the proceeds of them, if being perishable they shall have been sold, being claimed within the space of months by the masters or owners, their agents or attorneys, shall be faithfully restored, paying only that which ought to be paid by the native citizens or subjects in such cases for salvage. There shall also be delivered, gratis, to the persons shipwrecked, safe-conducts or passports for their free passage from thence, and to return each one to his country.

ARTICLE XXIX. The two contracting parties, fully convinced of the wisdom and justice of the principles contained in the declaration of her Imperial Majesty of the 28th day of February, 1780, made to the then belligerent Powers, and proposed by her as the basis of a system to be established for the general benefit of the commercial world, and that the same ought to be regarded as sacred by all belligerent Powers forever; which principles have since been established and agreed upon in the maritime convention concluded at Copenhagen, between her said Imperial Majesty and the King of Denmark and of Norway, on the 9th of July, 1780; and being desirous to make the same the invariable rule of their own conduct, and to have recourse thereto upon all proper occasions, as to stipu-

lations and laws which merit a distinguished rank in the human code :

The contracting parties do here solemnly adopt and immediately apply to themselves the few important principles which have been established as above in favor of neutral nations in general, viz.:

1st. That all vessels shall navigate freely from port to port, and upon the coasts of nations at war, excepting always ports blocked ;

2dly. That effects belonging to Powers at war, or to their subjects, shall be free upon neutral vessels, excepting contraband merchandizes ;

3dly. That to determine what shall characterize a port blocked, this denomination shall be granted but to such port only where the vessels-of-war of the Power that attacks it shall be sufficiently near, and stationed in such a manner, that there is an evident danger of entering into it ;

4thly. That neutral vessels shall not be arrested, but upon just causes and evident facts, and they shall be judged without delay ; that the process shall always be uniform, prompt, and legal, and that always besides the indemnification, which shall be granted to those who have sustained any damages or losses without being in fault, there shall be given complete satisfaction for the insult committed upon the respective flags.

ARTICLE XXX. If the merchant vessels of the citizens or subjects of one of the other parties, sailing along the coasts or on the high seas without any escort, are met by the vessels-of-war or private armed vessels of the other party, being engaged in a war with any other Power, they shall be held, if required, to exhibit their passports, sea-letters, and other documents described in the article of this treaty ; and to prevent all disorder and violences, the vessels-of-war and private armed vessels making the visit shall constantly remain out of cannon shot from the armed vessels, and shall send their boats to them, but they shall not board them with more than two or three men for the purpose of examining their papers above-mentioned. Nevertheless, it shall not be permitted to visit or to examine the papers of any merchant vessels when convoyed by vessels-of-war, but full faith shall be given to the declaration of the officer commanding the escorts that the merchant vessels are not charged with any contraband merchandizes for an enemy's port.

ARTICLE XXXI. And when it shall appear by the papers

exhibited, or by the verbal declaration of the officer commanding the escort, that the merchant vessels are not charged with any contraband merchandizes destined for a port of the enemy of the other party, they shall be permitted to pursue their voyage without any molestation or impediment; and that more effectual care may be taken for the security of the citizens, subjects, and people of both parts, it shall be expressly forbidden to the captains and commanders of all vessels-of-war, and of private armed vessels, their officers and people, to molest or to do any damage to the vessels, citizens, subjects, and people of the other party, and if they shall act to the contrary, they shall be obliged to answer therefor in their persons and goods, besides the reparation due for the insult committed upon the flag.

ARTICLE XXXII. If, by exhibiting the sea-letters and other documents, the other party shall discover there any of those sorts of goods which are declared prohibited and contraband, and that they are consigned for a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, nor to open any chest, coffer, packs, casks, or other vessels found therein, or to remove the smallest parcels of the goods, unless the lading be brought on shore in presence of the officers of the Court of Admiralty, and an inventory thereof be made; but there shall be no allowance to sell, exchange, or alienate the same, until after that due and lawful process shall have been had against such prohibited goods of contraband, and the Court of Admiralty by a sentence pronounced shall have confiscated the same, saving always as well the ship itself as any other goods found therein, which are to be esteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much less shall they be confiscated as lawful prize. But, on the contrary, when by the visitation at land it shall be found that there are no contraband goods in the vessel, and it shall not appear by the papers, that he who has taken and carried in the vessel has been able to discover any there, he shall be condemned in all the charges and damages which he shall have caused, both to the owners of the vessels and to the owners and freighters of the cargoes with which they shall be loaded, for his temerity in taking and carrying them into port; it being declared most expressly, that free vessels shall assure the liberty of the effects with which they shall be ladened, and that this liberty shall extend

itself equally to the persons who shall be found in free vessels, although they are enemies to both, or either party, who may not be taken out of her unless they are military men actually in the service of an enemy.

ARTICLE XXXIII. On the contrary, it is agreed, that whatever shall be found to be ladened by the citizens and subjects of either party, on any ships belonging to the enemies of the other, although it be not comprehended under the sort of prohibited goods, the whole may be confiscated as if it belonged to the enemy ; excepting always such effects and merchandizes as were put on board such vessel before the declaration of war, or in the space of months after it ; which effects shall not be in any manner subject to confiscation, but shall be faithfully, and without delay, restored in nature to the owners who shall claim them, or cause them to be claimed before the confiscation or sale ; and, if they should not be claimed before then, the proceeds thereof shall be restored, provided they are duly claimed within months after the sale, which shall always be public. Nevertheless, if the said merchandizes are contraband, it shall by no means be lawful to transport them afterwards to any port belonging to the enemies of the other ally.

ARTICLE XXXIV. And under this denomination of contraband or merchandizes prohibited, shall be comprehended only . All other effects and merchandizes not before specified expressly, and even all sorts of naval matters, however proper they may be for the construction and equipment of vessels-of-war, or for the manufacture of one or another sort of machines of war, by land or by sea, shall not be adjudged contraband, neither by the letter nor according to any pretended interpretation whatever, ought they, or can they be comprehended under the notion of effects prohibited or contraband ; so that all effects and merchandizes which are not expressly before mentioned, may, without any exception and in perfect liberty, be transported by the citizens and subjects of both allies from and to places belonging to the enemy of the other, excepting only the place, which at the same time shall be blocked, as described in the article of this treaty.

ARTICLE XXXV. All vessels and merchandizes of whatever nature which shall be rescued out of the hands of any pirates or robbers navigating the high seas without requisite commissions, shall be brought into some port of one of the two States, and deposited

in the hands of the officers of that port, in order to be restored entire to the true proprietors, as soon as due and sufficient proofs shall be made concerning the property thereof.

ARTICLE XXXVI. It shall be lawful as well for the ships-of-war of the two contracting parties, as for the private armed vessels belonging to their respective citizens and subjects, to carry whithersoever they please the ships and goods taken from their enemies; neither shall they be obliged to pay any thing to the officers of the Admiralty, or to any other judges or persons whatever; nor shall the aforementioned prizes, when they come to and enter the ports of the said States, be detained by arrest, or be subject to any search or visit; nor shall the validity of the capture be questioned; but they may come to sail, depart, and carry their prizes to those places which are mentioned in their commissions, which the commanders of such ships-of-war or private armed vessels shall be obliged to show if required. On the contrary, no shelter or refuge shall be given in the ports of one of the parties to such as shall have made a prize upon the citizens and subjects of the other party, and if, perchance, such ships shall come in, being forced by stress of weather or the danger of the seas, they shall be obliged to depart as soon as possible.

ARTICLE XXXVII. No subject of her Imperial Majesty shall apply for or take any commission or letters-of-marque for arming any ship or vessels to act as privateers against the said United States, or any of them, the citizens or inhabitants thereof, or against the property of any of them, from any Prince or State with which the United States shall be at war; nor shall any citizen or inhabitant of the said United States, or any of them, apply for or take any commission or letters-of-marque for arming any ships or vessels to act as privateers against the subjects of her said Imperial Majesty, or any of them, or against their property, from any Prince or State with which her said Imperial Majesty shall be at war; and if any persons of either nation shall take such commission or letters-of-marque, he shall be punished as a pirate.

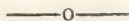
ARTICLE XXXVIII. It shall not be lawful for any foreign privateers not belonging to the subjects of her said Imperial Majesty, or to the citizens or inhabitants of the said United States, which have commissions from any other Prince or State at war with either of the parties, to fit their ships in the ports of either of them, to sell

the prizes which they shall have made, or in any other manner whatsoever to discharge the vessels, merchandizes, or any part of their cargoes; neither shall they be allowed even to purchase provisions, except such as shall be necessary for their going to the next port of that Prince or State from which they have commissions.

ARTICLE XXXIX. To the end that all dissension and quarrel may be avoided and prevented, it is agreed that in case one of the two parties happens to be at war, the vessels belonging to the citizens and subjects of the other ally, shall be provided with sea-letters or passports expressing the name and the place of abode of the master or commander of said vessel, to the end that thereby it may appear that the vessel really and truly belongs to the citizens or subjects of one of the contracting parties; which passports shall be drawn and distributed according to the form annexed to this treaty. Each time that the vessel shall return she shall have such of her passports renewed, or at least they ought not to be of more ancient date than two years from the time the vessel last came from her own country. It is also agreed that such vessels being loaded, ought to be provided, not only with the said passports or sea-letters, but also with a general passport, or with particular passports or manifests, or other public documents which are ordinarily given to vessels which are outward bound, in the ports from whence they have set sail in the last place, containing a specification of the cargo, of the place from whence the vessel departed, and of that of her destination; or instead of all these, certificates from the magistrates or governors of cities, places, and colonies from whence the vessel came, given in the usual form, to the end that it may be known whether there are any effects prohibited or contraband on board the vessels, and whether they are destined to be carried to an enemy's country or not. And in case any one judges proper to express in the said documents the person to whom the effects on board belong, he may do it freely, without, however, being bound to do it; and the omission of such expression cannot and ought not to be deemed a cause of confiscation.

ARTICLE XL. The contracting parties grant to each other mutually, the liberty of having, each in the ports of the other, consuls, vice consuls, agents, and commissaries, of their own appointment, whose functions shall be regulated by particular agreement whenever the parties shall choose to enter into one.

ARTICLE XLI. For the better promoting commerce on both sides, it is agreed that if a war should break out between the contracting parties, (which may God prevent,) the term of twelve months, to commence from the day of the publication of a proclamation by the sovereign authority of the State to be made for that purpose whenever it shall be judged proper, shall be allowed to the citizens and subjects of each part residing within the dominions of the other in which they themselves may retire, together with their families, goods, and effects, and carry them whithersoever they please; and for this end, passports and safe conducts shall be freely granted to them, as well for their persons as for their vessels and other effects, for some convenient ports of their respective countries, and for a time necessary for the voyage; and likewise during the said term, the selling and disposing of their effects, both movable and immovable, shall be allowed to them freely, and without any molestation; and also their goods and effects of every sort, and more especially their persons, shall not be detained or troubled by arrest or seizure, except it be in a due course of justice on account of debts or crimes, but rather in the meantime, they shall have and enjoy good and speedy justice, so that within that term they may be able to recover their goods, effects, and debts entrusted as well to the public as to private persons; and it shall be lawful for them, also, before or at the time of their departure, to consign to whom they shall think fit, or otherwise dispose of according to their pleasure or convenience, such of their effects as they shall not have parted with, as well as the debts which shall be due to them, and their debtors shall be obliged to pay the same in like manner as if the contracting parties were in full peace with each other.



TO ROBERT R. LIVINGSTON.

St. Petersburg, June 24th, 1783.

Sir,

In my last I had the honor to transmit to you a copy of the answer which I had received to my memorial, and my reply to it. Things remain in the same state, as we have no news of the conclusion of peace under the mediation of their Imperial Majesties. This delay is supposed to arise from some difficulties still subsisting

between Great Britain and the United Provinces respecting their affairs in the East Indies, and though the latter are not concerned (any more than the United States) in the mediation, yet France will not probably conclude her definitive treaty till Great Britain and the United Provinces have agreed upon their terms. To give time for this, was not the least object which France had in view by the present mediation.

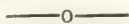
Notwithstanding the language of all the gazettes in Europe respecting an adjustment of affairs between the Imperial Courts and the Porte being at hand, it is still thought here that the war between the latter and this Empire, at least, is inevitable. Should the Emperor take a part in it, we shall see this continent in a flame. The naval reinforcements intended to be sent from hence into the Mediterranean, are stopped most certainly on account of an opposition from the quarter mentioned in mine of May 30th. Though in my last, by the references there made, I have pointed out the general object of the war with the Porte, on the part of the Imperial Courts, yet there are some particulars relative to the Empress of which you are not particularly informed, I will give them to you by the first safe opportunity. I shall have one in about a month, by Mr. Allen, a merchant of Boston, who arrived here last week, and proposes to return to America about that time. The journey of the Empress into Finland, as mentioned in my last, has been postponed on account of a hurt the King of Sweden received from a fall from his horse; it will take place in a few days.

The flag of the United States is now displayed at Riga upon a ship of five hundred tons, commanded by a Captain McNeil, belonging to Massachusetts, who arrived there on the 1st instant from Lisbon, with salt, an article permitted in that port, though prohibited here. This is the only arrival of any American vessel in any part of this Empire. She carries out hemp only, it being the only article with which she can be furnished there proper for our markets. This demand comes very seasonably to destroy the allegations of those who had endeavored to promote their particular interests at the expense of ours, and also to support the contrary representation which I had constantly made of our commerce. Cordage may indeed be had at Riga, as well as hemp, but both of them are dearer than in this port. They are, however, of a better quality, but they are seldom exported on private account, as the difference of the

price is thought to be too great for that of the quality. The Admiralty of England prefers them. I mention these circumstances as they may give some useful information, not only to the Admiralty of the United States, but to our private merchants. The one may seek them, the other may avoid them. A vessel owned partly in Ireland and partly by a Mr. Wharton and others, of Philadelphia, I am told, will sail from hence for Philadelphia in about a month. Mr. Allen will take his passage in one of the two abovementioned vessels.

I have the honor to be, &c.,

FRANCIS DANA.



TO ROBERT R. LIVINGSTON.

St. Petersburg, July 1st, 1783.

Sir,

I do myself the honor to write you by this day's post merely to let you know that we have not yet received an account of the conclusion of the definitive treaty of peace, and, of course, that I remain in the same state as at the date of my last. Her Imperial Majesty set off last Friday to meet the King of Sweden at Frederickscham, and is expected here again next Friday. The object of this meeting is doubtless such as I have mentioned in my letter of June 17th. The King of Sweden has a well appointed army of more than ten thousand men near his frontiers in Finland, and the Russian army about their frontiers is said to be greater. The two Sovereigns have been putting their possessions in that quarter into a better state of defence for some time. Sweden has been engaged in completing the fortress of Sweaborg, near Helsingfors, which is said to be an exceeding strong place.

These preparations do not indicate, certainly, hostile intentions on either part. They are such as common prudence, with the most pacific dispositions, might render indispensable in the present prospect of a war with Turkey. Should this Empire prove unsuccessful in that, there is little reason to doubt that Sweden would seize upon such an occasion to recover the territories which have been conquered from it. Or if the Emperor should take a part in the Turkish war, of which there seems to be much doubt at present, and thereby engage Prussia, France, and, perhaps, Spain in it, it is

highly probable in that case that Sweden would not long remain inactive. It cannot now be long before the point will be decided, whether we shall have a general war on the continent of Europe or not.

We shall have a great change in the course of the summer in the diplomatic corps here. The Minister of Spain has lately gone away, leaving a *Chargé d'Affaires*. The Ministers of France, Portugal, and Denmark are about doing the same. The Minister of England will be succeeded by another of the same class, as also the Minister of Naples. Besides these changes, a Minister is coming from the Republic of Venice. France, Spain, Denmark, Portugal, and Sweden will be represented here by *Chargés d'Affaires*, and, if I might offer my opinion upon the matter, when the United States shall have made their commercial treaty with this Empire, a *Chargé d'Affaires* would answer every useful purpose they can have in view at the Court. Every day's experience convinces me that they cannot decently maintain a Minister of the second class at this Court, under an appointment of £3,000 sterling per annum, and that it would be a very useless expense for them, as a *Chargé d'Affaires* may be well supported upon half that sum. I have not received any letter from you later than _____, nor has the confederation or the constitutions of the several States, which you say you have sent me, and which would be very acceptable to me, ever come to hand, and as you have not mentioned through what channel you sent them, I know not where to apply for them. I have written to Paris and Holland for them in vain.

I have the honor to be, &c.,

FRANCIS DANA.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, July 8th, 1783.

Sir,

After the departure of her Imperial Majesty for Fredericksham, as mentioned in my last, the Vice Chancellor communicated to the foreign Ministers the information that their Imperial Majesties had concluded an alliance offensive and defensive against the Porte. Thus it is now become certain that the Emperor will take a part in this new war; the consequence of which will be, as I have sup-

posed in some of my former letters, a general war on the continent of Europe.

A courier has been sent from hence with a similar communication as above, to the Courts of Berlin and Versailles, which Courts having been apprehensive of such an event, are doubtless prepared to meet it, and oppose themselves to the execution of the project of the Imperial Courts, which is nothing short of what was supposed to be in agitation, by my letter of the 30th of March, 1782, particularly by the first sentence of it relative to that subject, to which I beg leave again to refer you for more particular information. Last Saturday a courier arrived from Versailles for the French Minister, which was sent from thence in consequence of the same matter being communicated there by the Minister of the Emperor; that from this Court had not then arrived. I am told his Most Christian Majesty expresses in a firm tone his surprise at the Empress's seizing upon the Crimea, and demands an explanation upon that subject, concluding, however, with an offer of his mediation between her Imperial Majesty and the Porte for settling their differences and pretensions. But it is evident the sword alone must decide these.

Some time in last February, France having information of the project formed against the Porte, remonstrated in strong terms against it to the Emperor, upon which, as is said, he gave full assurances that he had not any such design as was imputed to him. This gave rise to the doubts which have been entertained whether he would take a part in the war against the Turks, which seemed to be the point upon which a general war upon the continent would depend. For if Russia alone had attacked the Turks, the Powers whose interest it is to support them, would have probably confined themselves to secret succors. Their own safety will now oblige them to make powerful diversions in their favor. Not only France and Prussia have a deep interest to prevent the aggrandizement of the House of Austria, but many of the Electors and Provinces of Germany also, in order to preserve their own independence and liberties, which are ever in danger from powerful and ambitious Emperors. Hence we may see some of these allied with those two principal Powers, to support the Turks against the formidable alliance of the Imperial Courts. Great Britain will remain neuter, rejoicing to see France engaged in an expensive continental war. Or if a favorable occasion should arise, she may take a part in it towards the close, to

avenge herself for the part France has taken in our Revolution. Thank God, we have a world to ourselves, and may rest in peace while the calamities of war are laying waste and desolating this continent. We may derive special advantages from it, as it will probably augment the emigrations of that most useful class of men, the peasants of Germany, into America.

Since my last, a Nuncio from the Pope has arrived here, coming from Poland. Having had no account of the definitive treaty, I remain *in statu quo*.

I have the honor to be, &c.,

FRANCIS DANA.

—O—

TO ROBERT R. LIVINGSTON.

St. Petersburg, July 27th, 1783.

Sir,

I have this day been honored with the duplicate of your letter of the 1st of May last, enclosing the resolution of Congress of the 1st of April, approving of my intention of returning to America, provided I should not be engaged in a negociation with this Court at the time I should receive that resolution, but that if I should be, it is the desire of Congress that I should finish such negociation before I return.* This letter has come very opportunely to hand, as we are in expectation every moment of receiving the account of the conclusion of the definitive treaty of peace, when I should have immediately had my audience of her Imperial Majesty. I shall now think it expedient to decline that honor. For it would be a very useless ceremony to take an audience of reception one day, when the next, I must ask one of departure, as according to your letter it not only seems that Congress declines being at the customary expense of concluding a treaty with her Imperial Majesty, but you say also, with respect to a commercial treaty, (the only one I had any intention of concluding,) none could be signed by me, as my powers only

*“*Resolved*, That Mr. Dana having intimated his intention of returning to America, Congress do approve of the same; provided he should not be engaged in a negociation with the Court of St. Petersburg at the time of receiving this resolution, in which case it is the desire of Congress that he should finish such negociation before he returns.”

extend "to *communicate* with her Imperial Majesty's Ministers on the subject of a treaty, &c., &c., but not to sign it." I confess I had put a very different construction upon the passage of my instructions alluded to, which is, "You shall assure her Imperial Majesty and her Ministers of the sincere disposition of the United States to enter into a treaty of friendship and commerce with her, on terms of the most perfect equality, &c., and you are authorized to communicate with her Imperial Majesty's Ministers on the form and terms of such treaty, and transmit the same to Congress for their ratification," especially when taken into conjunction with the following paragraph of my commission: "And he is further authorised in our name and on behalf of the United States of America, to propose a treaty of amity and commerce between these United States and her said Imperial Majesty, and to confer and treat thereon with her Ministers vested with equal powers, so far as the same shall be founded on principles of equality, &c., transmitting such treaty for our final ratification. And we declare in good faith that we will confirm whatsoever shall by him be transacted in the premises."

But it is useless to spend a moment's consideration upon the extent of my powers, when you say you are persuaded it is the wish of Congress rather to postpone any treaty with Russia, than to buy one at this day, as I am persuaded no treaty is to be obtained, or could be honorably proposed, without conforming as other nations have done to the usage of this Court in that respect. That it would be for the interest of the United States immediately to conclude a commercial treaty with her Imperial Majesty, such a one as I flatter myself I could obtain, I have not the least doubt upon my mind. As to the neutral confederation, I have the honor to agree in opinion with you, that it is now of little consequence to us; for this reason, I had determined to have nothing to do with it, even if I could not obtain a commercial treaty without acceding to it, as was the case with Portugal.

I pray you to be pleased to acquaint Congress that I shall improve the earliest opportunity to leave this country and to return to America. Happily, I shall have a very good one in three weeks or a month, in the yacht of the Dutchess of Kingston, which will sail from hence for Boston, where I hope to arrive in all November. I have not received the letter from Mr. Morris, which you mention.

I have the honor to be, &c.,

FRANCIS DANA.

TO ROBERT R. LIVINGSTON.

St. Petersburg, August 6th, 1783.

Sir,

In my last I acknowledged the receipt of yours of the 1st of May, enclosing the resolution of Congress of the 1st of April, relative to my returning to America, and I acquainted you at the same time that I should take my passage directly from hence for Boston, in the yacht of the Dutchess of Kingston. It being necessary immediately to prepare for the voyage, I thought it but decent to inform the Vice Chancellor of this change before it should become public, and have this day written a letter to him for that purpose, of which the following is a copy :

To his Excellency Count Ostermann.

“ I do myself the honor to acquaint your Excellency that having obtained the permission of the Congress of the United States to return to America, I propose to leave this Empire in a few weeks. And as her Imperial Majesty has been pleased to postpone granting me an audience for the purpose of presenting my letters of credence till the conclusion of the definitive treaties of peace under the mediation of their Imperial Majesties, though that event should take place before my departure, yet it would be unnecessary to trouble her Imperial Majesty with that ceremony, when it must be soon followed with another. I have thought it incumbent upon me to inform your Excellency of my intention to return to America, before I had taken any step which might make it public.

I have the honor to be, &c.,

FRANCIS DANA.

“ St. Petersburg, August 8th, 1783.”

As it is probable I shall be in America by the time this letter will reach you, that is in all November, I shall add nothing here.

I have the honor to be, &c.,

FRANCIS DANA.

—o—

TO ROBERT R. LIVINGSTON.

St. Petersburg, August 17th, 1783.

Sir,

Before I received your letter and the resolution of Congress

founded upon my letter of the 23d of September last, permitting my return to America, finding it impracticable to support myself upon my appointment for the time I expected to be detained in negotiating a treaty of commerce, I had written to Messrs. Willink, and other bankers of the United States in Holland, to give me a credit here for a sum not exceeding one thousand pounds sterling on account of the United States, engaging at the same time to be responsible for it, if Congress should refuse to allow it. Over and above this, I had applied to my bankers in this city to advance me six hundred pounds sterling on my private credit which I found it would be necessary for me to expend for such household furniture only as is not included in what they call here a furnished house. Such a one I was just upon the point of engaging for six months, at the rate of sixteen hundred roubles a year, when your letter came to hand.

But as the object of negotiation abovementioned is not thought by Congress to be worth pursuing at this time, I thought it would be most advisable for me to disengage myself from these extraordinary expenses, and to improve the convenient opportunity which now offers to take my passage from this port for Boston without waiting for the conclusion of the definitive treaties of peace, merely to take an audience of her Imperial Majesty ; especially as I doubted whether Congress would approve of my incurring them, after I had received their permission to return, and found that they had no particular object of negotiation in view at this Court. Besides, I saw if I had an audience of her Majesty, it would not do for me to leave the Court abruptly, or before the next spring, and that in consequence of it I should not be able to arrive in America till nearly the expiration of another year. I therefore wrote to the Vice Chancellor, as you will find by my last, to inform him of my intention to return to America. Further to explain the motive of Congress, as well as my own respecting this measure, I wrote him again on the 14th instant as follows :

To Count Ostermann.

“ Sir,

“ Lest the motive of the Congress of the United States in granting me permission to return to America, as mentioned in the letter I did myself the honor to write to your Excellency on the 8th instant,

might be misapprehended, I beg leave to inform you that finding my health had suffered greatly since coming into this climate and my private affairs urging it upon me at the same time, I wrote to the Congress in September last, acquainting them with my desire to return to America. It was in consequence of this alone they have been pleased to grant me that liberty.

“Those causes, but especially my ill state of health, operating with greater force at this day, oblige me to improve the earliest occasion to return to America, and one now offering from this port, I have proposed to take the benefit of it. But independent of such considerations, which are merely personal, as I have not yet been acknowledged in my public character, it appears improper for me, after having received the abovementioned act of Congress, to ask an audience of her Imperial Majesty for the purpose of assuming it, and when, too, if I should do it, I must immediately after ask an audience of leave. These reasons I hope will excuse my retiring in a private character, as I have hitherto remained here. Highly sensible of the honor I should derive from being the first Minister from the United States of America at this Imperial Court, it is with infinite regret I feel myself under the necessity of departing without having assumed that character. If your Excellency should judge it expedient, I will do myself the honor to wait upon you in order to give you further explanations upon this subject verbally, than I have done in writing.

“I have the honor to be, most respectfully, your Excellency’s most obedient and humble servant,

FRANCIS DANA.”

In consequence of the above letter I received a message from the Vice Chancellor on the 15th by one of his Secretaries acquainting me that he should be glad to see me at his house in the country the next morning. When I waited upon him accordingly, he said he had received my two letters respecting my departure for America, assigning the ill state of my health as the occasion of it, that I was already well informed of the time her Imperial Majesty had fixed for my reception, and of the reasons which influenced her in that respect; and that she could not make any change in it; that if my health did not permit me to wait for the event, in such a case it lay wholly with me to return. I told him the cause which I had mentioned was the true cause, that my health was in such a state the last fall when I wrote to the Congress, that I should not have remained

over the winter, but from an expectation that every thing would have been settled during the winter, so that I might have had an audience of her Majesty, and been ready to return to America early in the spring, by which time I expected to have received the permission of the Congress, that I wished only to have the matter properly understood, that the permission of the Congress was not owing to any transactions which had taken place here.

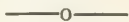
He then asked if I had received any answer from the Congress since the communication of my mission. I replied, none at all, that if he would be pleased to attend to dates, he would see it was impossible; that my communication was made on the 24th of February, that the permission of the Congress was dated on the 1st of April, between thirty and forty days after; that the greater part of that time my letter containing the account of it must have been on its way to Paris; that if my letters reached them in two or three months it was very well; that six months, sometimes nine, as was the present case, elapsed before I could receive any answer from America, and that I did not receive her Majesty's first answer till near two months after the communication.

He seemed to be perfectly satisfied with this account, and said he was very sorry my health would not permit me to remain here, that he should have been very happy to have had the honor of seeing me in my public character. I expressed again the great regret with which I should depart, especially after having resided so long in the country without having had an audience of her Imperial Majesty, which I should have deemed the highest honor of my life. I told him so convenient an opportunity now offering directly from hence for Boston, I thought I ought not to omit improving it, that if I should, I should be detained in the country through the next winter; for I could not think it would be proper to depart sooner, after taking an audience of her Majesty, to which he seemed to assent. He said, perhaps, after I had recovered my health, I might return again, when he should be very happy to see me, &c. I thanked him for his politeness, and we parted without the least apparent dissatisfaction. Yet I am persuaded that they had much rather I should remain, because they have their apprehensions that Congress may resent the postponement of my audience to the conclusion of the definitive treaties of peace; an event which they must know can operate no change in the political existence of the United States.

I thought it best to put the permission upon its true ground, and my speedy departure upon the ill state of my health; because this would not in the least engage Congress, but leave them at perfect liberty to send another Minister at this Court or not, as they shall judge expedient, all circumstances considered. It is clearly my opinion since Congress decline being at the expense of concluding a commercial treaty with her Majesty, that the supporting a Minister here has become a matter of much indifference to our interests. The interests of this Empire are much more in the power of the United States than theirs are in the power of this Empire. Should we vigorously adopt the cultivation of hemp, and our territories along the Ohio are exceedingly well adapted to it, we should strike at the foundation of the commerce of this Empire, and give her Majesty reason to repent at leisure of the line of conduct she has chosen to hold with the United States.

I have the honor to be, &c.,

FRANCIS DANA.



TO THE PRESIDENT OF CONGRESS.

Cambridge, December 17th, 1783.

Sir,

I do myself the honor to inform your Excellency of my arrival at Boston in the ship Kingston on Friday last, after a passage of ninety-five days from St. Petersburg. I propose to set off for Congress as soon as the necessary arrangements can be made for my journey, provided the severity of the season should not render it impracticable. I wish, however, that your Excellency would be pleased to write to me by the return post (to which time it is possible I may be detained) whether it is the expectation of the Congress that I should come on to the place of their session, and without loss of time, to render a more particular account of my late mission. There is nothing I should more earnestly wish than to meet a strict inquiry into my conduct during the time I have had the honor of being a servant of the public.

I have the honor to be, &c.,

FRANCIS DANA.

END OF VOLUME IV.

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